

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Thursday, February 07, 2008 1:25 PM
To: Leighow, Sharon W (GOV)
Subject: FW: question for the Topeka Capital-Journal, KS

From: Osborne, Anne [mailto:anne.osborne@cjonline.com]
Sent: Thursday, February 07, 2008 1:20 PM
To: Governor Sarah Palin (GOV sponsored)
Subject: question for the Topeka Capital-Journal, KS

Hi Governor Palin,

I'm a reporter with the Topeka Capital-Journal in KS. Just for fun, I'm working on an article posing the question of what Bill Clinton will be titled if his wife is elected president. Up till now it's been "First Lady," but what will the guy in the equation be called if the president is a woman? To bring it down to earth a bit more, I'm contacting some girl governors to find out what their husbands are officially called. Of course, we have a female governor here in KS, and her husband has adopted the title of "First Dude." What does your spouse like to be known as? Just for a good time, and thanks very much!

Anne

10/29/2009

PRA_GSP01_0011580

Unknown

From: Marcia Amik [mamik@avcp.org]
Sent: Thursday, February 07, 2008 4:56 PM
To: Heuer; Susan C (DOA)
Cc: Lyman_Hoffman@legis.state.ak; Mary_Nelson@legis.state.ak; Palin; Sarah H (GOV); Parnell; Sean R (GOV); McBride; Rhonda (GOV)
Subject: SW V

Dear Ms. Heuer,

I understand you are taking comments to address the move of the SW V position to Wasilla from Bethel.

Please take the following concern.

To Whom it may Concern,

It was a great disappointment to learn of the decision to move the SW V position from Bethel to Wasilla. The Bethel OCS office already has a horrendous turn over rate and to take away a key position of the few remaining workers is totally unrealistic.

With that position gone, the Tribes are going to have to work with the already overburdened staff to consult with. The Tribes need that position as much as OCS does.

Our communications with the Bethel OCS is not the greatest and to go beyond the region poses even more challenges. The location of that position will not be strategically sound especially with the ever growing cases we have in the region. With that position we have been able to find ways to create a better working relationship for all parties and to take it away will be a step backwards.

If this plea to reverse the decision falls on deaf ears at least PUT SOMEONE IN THAT POSITION WHO KNOWS AND HAS A LOT OF KNOWLEDGE ABOUT THE PEOPLE AND THE AREA. NOT ONLY THAT, SOMEONE WHO WILL CONTINUE TO STRENGTHEN THE PARTNERSHIP THAT WE HAVE BUILT OVER THE YEARS.

Quyana for your time.

Marcia Amik,
P.O. Box 219
Bethel, Alaska 99559

10/29/2009

PRA_GSP01_0011581

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Thursday, February 07, 2008 11:00 AM
To: Smith; Lynne M (GOV)
Subject: FW: Chamber/Americas new travel page: Now let us give you something!
www.ytbtravel.com/americaschamber/

From: gil@chamberoftheamericas.com [mailto:gil@chamberoftheamericas.com]
Sent: Thursday, February 07, 2008 10:37 AM
To: gil@chamberoftheamericas.com
Subject: Chamber/Americas new travel page: Now let us give you something!
www.ytbtravel.com/americaschamber/

Dear Fellow COTA Supporter:

I want to thank you for your passion for Chamber of the Americas...

Over the years you've supported COTA with your voice, your energy and your dollars. Now, we're proud to say, it's time to give you something back!

Chamber of the Americas has a new membership service that actually puts the "fun" in fundraising...and it won't cost you a penny. I know you've heard that one before. But, this time it's true!

Chamber of the Americas now has its
own travel website at www.ytbtravel.com/americaschamber/

This new service is like having our own Expedia® just for COTA supporters and friends! Everything you need is right here. You get access to the same airlines, hotels and rental car companies, cruises and vacation packages you find on all the other major travel websites, and, best of all...

you get some of the lowest
travel prices on the internet!

Getting great travel prices for you is fantastic, right? But, how is this going to help raise funds for COTA?

Here's How it Works - if you don't know, every time you use a travel website like Expedia®, the travel companies pay BIG commissions for your reservation.

Well, now when you book travel on our website, Chamber of the Americas will get a whopping 40% of those commissions!

Any way you look at it, this is a win-win situation. You get great travel rates and you

10/29/2009

help funnel dollars from the travel companies into Chamber of the Americas to advance our cause. With your help and other COTA supporters like you...

we can raise **THOUSANDS** of dollars
for Chamber of the Americas to help support our cause!

I know you might have a slight case of "cabin fever," as a result, you are in the middle of planning a winter vacation or maybe looking ahead to plan travel for the Spring. Why not take the travel website for a "test drive" right now? I'm sure you'll like what you find and it would be a great way for us to kick off this new service.

Try out our new website at:
www.ytbtravel.com/americaschamber

Use our new travel website and while you are flying to some exotic locale, you'll know you are supporting Chamber of the Americas! It's that simple!

Oh, and one more thing, please bookmark our new website. That way you'll be able to use it anytime you need travel.

Thanks for your commitment to Chamber of the Americas and for trying out our travel service at www.ytbtravel.com/americaschamber.

Gilberto (Gil) Cisneros
President/CEO
Chamber of the Americas
720 Kipling, Suite 13
Denver, Colorado, 80215. USA
Tel: 303.462.1275
Fax: 303.462.1560
Cel: 720.309.7688
gil@chamberoftheamericas.com
www.chamberoftheamericas.com

Support Chamber/Americas Foundation mission with a tax deductible donation!

10/29/2009

PRA_GSP01_0011583

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 8:28 PM
To: Leighow; Sharon W (GOV)
Subject: Re: Christina Grande Channel 13

Amen sister

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Leighow, Sharon W (GOV)" <sharon.leighow@alaska.gov>

Date: Thu, 07 Feb 2008 20:13:08

To: gov.sarah@yahoo.com

Subject: Re: Christina Grande Channel 13

Really weird- i sent that around noon. I thought bill's story was fair- personally I think this whole issue has been blown way out of whack!

-----Original Message-----

From: gov.sarah@yahoo.com <gov.sarah@yahoo.com>

To: Leighow, Sharon W (GOV)

Cc: Mason, Janice L (GOV)

Sent: Thu Feb 07 20:00:04 2008

Subject: Re: Christina Grande Channel 13

Odd - this email just arrived.

Hey, hopefully we'll have the other BOG name ready to announce tomorrow and we can turn down the volume on the controversy. What did you think of Bill's coverage?

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Leighow, Sharon W (GOV)" <sharon.leighow@alaska.gov>

Date: Thu, 07 Feb 2008 11:37:54

To: gov.sarah@yahoo.com

Cc: "Mason, Janice L (GOV)" <janice.mason@alaska.gov>

Subject: Christina Grande Channel 13

Governor-

Is it okay if Christina comes up shortly after Bill for a quick interview on BOG?

Sharon Leighow

Deputy Press Secretary

Deputy Communications Director

(907) 269-7450 Anchorage

(907) 465-4031 Juneau

(907) 240-7943 cell

Unknown

From: Palin, Sarah (GOV sponsored) [govpalin@alaska.gov]
Sent: Thursday, February 07, 2008 8:28 PM
To: Balash, Joseph R (GOV)
Subject: Re: Thanks!

Me too!

----- Original Message -----

From: Balash, Joseph R (GOV)
To: Palin, Sarah (GOV sponsored)
Sent: Thu Feb 07 20:23:32 2008
Subject: Re: Thanks!

You kidding? I live for this stuff!

----- Original Message -----

From: Palin, Sarah (GOV sponsored)
To: Balash, Joseph R (GOV)
Sent: Thu Feb 07 19:56:53 2008
Subject: Thanks!

For hanging in there - I'm watching.

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 7:00 PM
To: Wheeler, Gary R (GOV)
Cc: Mason, Janice L (GOV); Cooper, George F (DPS)
Subject: Re: King air broke

Thanks - we're getting commercial flts in case it's not ready to go even for the rtn to Juneau on Sunday.

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Wheeler, Gary R (GOV)" <gary.wheeler@alaska.gov>

Date: Thu, 07 Feb 2008 11:39:06

To: gov.sarah@yahoo.com

Cc: "Mason, Janice L (GOV)" <janice.mason@alaska.gov>, "Cooper, George F (DPS)" <george.cooper@alaska.gov>

Subject: King air broke

I just got off the phone with the aircraft sect. They advised the king air developed landing gear problems today on a trip to kodiak. Their mechanics investigated and have contacted the parts manufacturer who advised not to fly until parts replacement. We are now trying to locate parts however its doubtful this will be accomplished before next week.

Gary Wheeler

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 6:50 PM
To: Bailey, Frank T (GOV)
Cc: Nizich, Michael A (GOV); Tibbles, Michael A (GOV); Laighow, Sharon W (GOV)
Subject: Re: Resume & additional info

Holy geez. Kind of walks on water, eh?

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Bailey, Frank T (GOV)" <frank.bailey@alaska.gov>

Date: Thu, 07 Feb 2008 18:23:36

To: gov.sarah@yahoo.com

Subject: FW: Resume & additional info

Oh yeah..Craig's former military too...huge plus.

Again don't feel like you need to read these...that's my job to boil down the high points for you. I just need to gather the rest of Fairbanks Superior details for tomorrow's interviews and then I'll be able to jump back into this.

From: Craig L. Fleener [mailto:chizhur@hotmail.com]

Sent: Thursday, February 07, 2008 2:57 PM

To: Bailey, Frank T (GOV)

Subject: Resume & additional info

Frank,

I have attached a cover letter and my long-form resume.

Thanks,

- Craig -

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 6:23 PM
To: Frank Bailey
Cc: Nizich; Michael A (GOV); Tibbles; Michael A (GOV); Leighow; Sharon W (GOV)
Subject: Re: Bog

Privileged or Personal Material Redacted

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: frank bailey <ftb907@yahoo.com>

Date: Thu, 7 Feb 2008 19:21:49

To: gov.sarah@yahoo.com

Cc: M Nizich <mike.nizich@alaska.gov>, Mike Tibbles <mike.tibbles@alaska.gov>, Sharon Leighow <sharon.leighow@alaska.gov>

Subject: Re: Bog

We've got feelers out all over on Craig Fleener. Privileged or Personal Material Redacted
Privileged or Personal Material Redacted

Still need a little more time for background but I'm hoping to have something for you by late tomorrow night.

I'll boil it down to some high points for you, but he sent his resume and cover letter which I'll have for you as well.

F

gov.sarah@yahoo.com wrote: I thot Bill's report was fair, thankfully, on the 6pm news.

How close are we to the fella you mentioned today, Frank? Did he apply, give me more info on him, does he really want the gig, he's from Ft Yukon - I know that.

Let me know. The sooner this is all resolved, the better. Thanks

Sent from my BlackBerry® device from Cellular One

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 6:06 PM
To: Colberg; Talis J (LAW); Leighow; Sharon W (GOV)
Subject: Re: 2nd amendment

Awesome. Thanks

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Colberg, Talis J (LAW)" <talis.colberg@alaska.gov>

Date: Thu, 07 Feb 2008 16:50:38

To: "Leighow, Sharon W (GOV)" <sharon.leighow@alaska.gov>

Cc: gov.sarah@yahoo.com

Subject: 2nd amendment

Dear Ms. Leighow,

The State of Texas has indicated it is fine we issue a limited press release regarding the 2nd Amendment Amicus. In light of that we suggest the following based on your earlier proposed statement:

STATE OF ALASKA SIGNS TEXAS AMICUS BRIEF

Governor Sarah Palin announced the State of Alaska will be joining the multi-state amicus brief authored by the State of Texas in support of the Second Amendment right of individual Americans to bear arms. On Tuesday, February 5, 2008 Alaska Attorney General Talis Colberg notified the Texas Attorney General Greg Abbott that Alaska would be joining the Texas multi-state brief. The Texas amicus brief in Washington DC v. Heller will be filed by February 11, 2008.

Governor Palin, a lifelong NRA member, has long been a champion of the constitutional right to bear arms as well as a proponent of gun safety programs for Alaska's youth.

"I am proud to join the State of Texas in support of the Second Amendment," said Governor Palin. "We need to send a strong message that law-abiding citizens have a right to own firearms, for their own personal protection or hunting or any other lawful purpose".

That should be fine. Talis

Unknown

From: Palin, Sarah (GOV sponsored) [govpalin@alaska.gov]
Sent: Thursday, February 07, 2008 6:05 PM
To: Mason; Janice L (GOV); Irwin; Tom E (DNR)
Subject: AGIA

I need half hour with Tom tomorrow on AGIA. Thanks

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 4:14 PM
To: Irwin; Tom E (DNR)
Subject: Re: Confidential AGIA

Right on I'll be ready.

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Irwin, Tom E (DNR)" <tom.irwin@alaska.gov>

Date: Thu, 07 Feb 2008 15:18:39

To: gov.sarah@yahoo.com, "Galvin, Patrick S (DOR)" <patrick.galvin@alaska.gov>, "Rutherford, Marty K (DNR)" <marty.rutherford@alaska.gov>

Subject: Confidential AGIA

Governor, is there any way to have a half hour of your time tomorrow to update you on AGIA and just have an open discussion about current issues. We need it for ourselves and need your thoughts also. Thanks. Tom

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 1:57 PM
To: Leighow; Sharon W (GOV)
Subject: Bog

Pls make sure Frank gets native appt information to me, then bill, way before bill writes his story. Thanks

Sent from my BlackBerry® device from Cellular One

Unknown

From: Jackson, Karleen K (HSS) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=KKJACKSON]
Sent: Thursday, February 07, 2008 1:53 PM
To: 'gov.sarah@yahoo.com'; Mason; Janice L (GOV); McBride; Rhonda (GOV); Kim; Anna C (GOV)
Cc: Nizich; Michael A (GOV); Tibbles; Michael A (GOV)
Subject: Re: Mt. Edgecumbe Suicide: Briefing

I echo the Governor's comments, and grieve the loss of this young woman. However, we have made slow, steady progress this past year, and although we still have tons of work to do, as this sad case shows, there is a glimmer of progress because our suicide rating in the nation is now #3 rather than #1, which it was for many years.

Our support for communities and families has also improved and we are working together across agencies more effectively.

Again, lots more to do, and even one suicide is a tragedy that touches all Alaskans. Thanks for helping us address this.

Karleen

----- Original Message -----

From: gov.sarah@yahoo.com <gov.sarah@yahoo.com>
To: Mason, Janice L (GOV); McBride, Rhonda (GOV); Jackson, Karleen K (HSS); Kim, Anna C (GOV)
Cc: Nizich, Michael A (GOV); Tibbles, Michael A (GOV)
Sent: Thu Feb 07 13:42:02 2008
Subject: Re: Mt. Edgecumbe Suicide: Briefing

Rhonda- thank you for the message. We're working on the letters. This is so tragic. We've beefed up our Suicide Prevention initiatives since we got in here, after it seemed Murkowski let some of that mission falter (is what I've been told). Karleen Jackson and/or Anna can give more insight into our efforts in our first year.

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Mason, Janice L (GOV)" <janice.mason@alaska.gov>

Date: Thu, 07 Feb 2008 08:54:32

To: gov.sarah@yahoo.com

Subject: FW: Mt. Edgecumbe Suicide: Briefing

Governor - I am forwarding this to you as requested by Rhonda. I know that you aware of this and we have already taken steps to get letters out. Janice

From: McBride, Rhonda (GOV)

Sent: Wednesday, February 06, 2008 5:49 PM

To: michael.nizich@alaska.gov; Mike Tibbles (michael.tibbles@alaska.gov); Kim, Anna C (GOV); Mason, Janice L (GOV)

Cc: Monegan, Walt C (DPS); Jackson, Karleen K (HSS); Sandoval, Tammy K (HSS); tara.jollie@alaska.gov; Wilken, Jessica M (GOV)

Subject: Mt. Edgecumbe Suicide: Briefing

Please pass this on to the Governor....

This week the Suicide Prevention Council is meeting in Juneau. This tragedy might be a topic of conversation. The tragedy gives insight into an issue that has dogged our state for decades. It underscores the need for more suicide prevention awareness.

Please keep in mind that some of this information is confidential but provided for context.

MT. EDGECUMBE SUICIDE: Background Information obtained from Mt. Edgecumbe Supt. Bill Denkinger

Tel: (907) 966-3201. Fax: (907) 966-2442

On Monday, February 4th, a sixteen-year-old student at Mt. Edgecumbe attempted to strangle herself in her dormitory room. A dorm attendant found her, as she was making

rounds before "lights outs" at 10:30pm. Students watched as Rachelle George was rushed out in a gurney. She died the next day at Mount Edgecumbe Hospital.

Rachelle's hometown is listed as Bethel. Mt. Edgecumbe's superintendent says she has been Privileged or Personal for the past few years. Her mother is from Akiachak and did not have custody.

As I talked with Superintendent Bill Denkinger over the phone, his voice choked back grief. He spoke softly as he recollected how Rachelle did well in school - that she earned mostly B's, a few A's and one C+. He said she had a beautiful singing voice.

Teachers and staffers knew that Rachelle had a "horrendous childhood." One sign of the instability in her life: Rachelle recently met a half sister at Mt. Edgecumbe, a sister she never knew about.

Denkinger says there were suicides the 1940's and 1950's when the BIA managed the Mt. Edgecumbe, but there haven't been any since then -- so suicide hasn't been on the school's radar screen.

As for Rachelle, school and dorm staffers did not suspect she was on the verge of suicide. She was seen shortly before her death appearing calm, giving no sign of emotional turmoil. But the evidence suggests she had been planning it for some time.

During the Christmas holidays, Rachelle used all the money she had been gifted with to buy candy and "goodies" for others. She also left a detailed note willing her possessions to others and a letter of apology to a family member, about some kind of a conflict they had experienced.

Looking back, Denkinger says there were some warning signs that were missed. In December, Rachelle told a dormitory social worker that she was struggling with flashbacks from her childhood. She scheduled several appointments and missed her last one on January 31st.

The superintendent says the response to the suicide has been quick. OCS staffers and local clergy are providing counseling and doing an excellent job of meeting the needs of the students at this time. Also, students in rooms near Rachelle's have been given the option to move.

One parent who wrote the Governor, Kelly Lincoln of Bethel, says she fears some students will quit school. Others blame themselves. The worst case scenario: copycat suicides. In her e-mail, she refers to Alakanuk -- a village on the Lower Yukon -- that was the subject of the Anchorage Daily News' Pulitzer Prize winning series, "People in Peril." Alakanuk experienced a suicide epidemic in the 1980's and early 90's.

Another concern: some students in the dormitory have been re-traumatized. Several have either witnessed suicides in their own family or discovered the body of a victim. One student who has had trouble coping has been hospitalized.

Denkinger is not sure how Rachelle's death could have been prevented. He did say the loss of grants forced the school to staff the dormitory with contract workers. The lower wages have led to high turnover. Denkinger would like to see state employees fill these positions, so there can be more stability to help support at risk students.

A memorial for Rachelle will be held Friday, February 8th in Sitka. The Superintendent says a letter from the Governor expressing condolences and offering encouragement to the students would be appreciated.

The following e-mail is from Kelly Lincoln, whose daughter Allie was Rachelle's next door neighbor. Kelly and her husband Greg own "The Delta Discovery," a newspaper in Bethel. They are originally from Toksook Bay and are a positive force for change in the region. Every issue celebrates some aspect of Native life and culture. One has to wonder what the next issue of the Delta Discovery will hold.

Web mail from: Ms. Kelly Jean Lincoln

address: PO Box 1028 Bethel AK 99559

543-3548

MESSAGE:

Dear Sarah,

As you may have already heard, there was a suicide at Mt. Edgecumbe High School last night. Her name was Rachelle George from Bethel, age 16. She was my daughter's close friend and next door neighbor in their dorm at MEHS. My daughter Allie had a front row seat to all the commotion due to her closeness and now she is devastated. She called me crying around 11pm last night when all the police and medics were there. I was in shock, I couldn't believe that this was happening to us. She thinks that it was her fault, that she should have stayed with her in her room. I told her, it's not your fault, we didn't know. She is not comfortless though. The support staff at MEHS is working very hard to make sure the kids are okay, although I am scared of the possibility of copycat suicides - remember Alakanuk? Anyway, the issue of dropping out of school and coming home has reared its head. I mean, who wants to live next to an empty room where your friend used to live and is no longer there? All the

memories, the laughs, etc. They used to go to breakfast together. I pray to God that she will not drop out and I pray that everything will be okay and that she will decide for herself to stay in school and continue. Well, I just wanted to say all that and to see if you had any plans to visit those poor kids. It is like a bomb dropped on our state with its epicenter in Sitka and my poor sweet Allie is right in the middle of it. Thank you for your time and I hope that I didn't bother you too much. Quyana,

Kelly

kelly@deltadiscovery.com

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 1:34 PM
To: Ruaro, Randall P (GOV)
Subject: Re: Meeting with AVAC / Loose ends

Thanks - and yes, Bert conveys his messages steadily.

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Ruaro, Randall P (GOV)" <randall.ruaro@alaska.gov>

Date: Thu, 07 Feb 2008 13:07:58

To: gov.sarah@yahoo.com

Subject: Meeting with AVAC / Loose ends

Governor:

Thanks for the time meeting with AVAC. Sorry if I did not speed Bert Hall along fast enough. I was watching the clock at 15-20 minutes and waiting for an opening but he was pretty steady.

I will work with the group on their issues and loop the other special assistants in where necessary.

Thanks,

Randy

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Thursday, February 07, 2008 1:26 PM
To: schusterja@upmc.edu
Subject: RE: Other

Thank you for writing to Alaska Governor Sarah Palin. The concerns, opinions, and/or information you have sent are important and valuable to the Governor. Although she is unable to respond to each and every email herself, your message has been received and is being reviewed by the appropriate staff person in this office who can best address your need, suggestion, or comment.

-----Original Message-----

From: WebMail@gov.state.ak.us [mailto:WebMail@gov.state.ak.us]
Sent: Thursday, February 07, 2008 12:54 PM
To: Governor Sarah Palin (GOV sponsored)
Subject: Other

Web mail from: JOSEPH SCHUSTER
address: 1267 CLIFTON ROAD BETHEL PARK PA 15102
412-831-3981

MESSAGE:

I wish you a very happy upcoming birthday.

I also feel I'm speaking for many fellow Republicans when I say

you should give serious consideration for running for President in the 2012 elections.

You have many fine personal and professional accomplishments, and I feel you would be an excellent choice.

Keep up the fine work, and have a very happy birthday, Governor!

schusterja@upmc.edu

Unknown

From: Governor Sarah Palin (GOV sponsored) (governor@alaska.gov)
Sent: Thursday, February 07, 2008 12:10 PM
To: Wilken; Jessica M (GOV)
Cc: Mason; Janice L (GOV)
Subject: FW: Feb. 07, 2008 Chugach Electric Association, Motion and Settlement Agreement

From: Moore, Larine [mailto:Larine.Moore@hq.doe.gov]

Sent: Thursday, February 07, 2008 12:03 PM

To: Moore, Larine; Aws@anchorlaw.com; Tom.east@enstarnaturalgas.com; DeVries, Steven D (LAW); DaveDavis@MarathonOil.com; dmrissier@marathonoil.com; djohn@jhenenergy.com; scott.jepsen@conocophillips.com; roger.belman@conocophillips.com; Bdowling@tsocorp.com; rbrena@brenalaw.com; aguerriero@brenalaw.com; dwensel@brenalaw.com; csonnich@agrium.com; dws@vnf.com; mxt@vnf.com; jdecker@velaw.com; mbond@chevron.com; bgkeithley@jonesday.com; Governor Sarah Palin (GOV sponsored); DeVries@ala

Attachments:

02_07_08chugach.pdf (3233579 Bytes)

image001.gif (2115 Bytes)

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Thursday, February 07, 2008 11:56 AM
Cc: Smith; Lynne M (GOV)
Subject: FW: CSS February NEWSLETTER

-----Original Message-----

From: Susan Nelson [mailto:Susan.Nelson@matsuk12.us]
Sent: Thursday, February 07, 2008 11:53 AM
To: Susan Nelson
Subject: CSS February NEWSLETTER

Good Afternoon, CSS Students & Families, School District Staff and Community Friends:

The year is swiftly passing - it's February already!

We hope you'll enjoy this latest February Newsletter and will find the activities and info useful -

Some activities are time sensitive, so be sure to respond right away, and as always, feel free to phone CSS if you have any questions or input.

Think Spring!

Susan

Susan Nelson, Secretary
Correspondence Study School
600 E. Railroad Ave., Suite 6
Wasilla, AK 99654
Phone: (907) 373-3570
Fax: (907) 373-3573

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 10:32 AM
To: Nizich, Michael A (GOV); Frank Bailey; Leighow, Sharon W (GOV); Tibbles, Michael A (GOV)
Subject: Re: For your approval

Don't remember her at any fairbanks event, but do recall now the Juneau office mtg of Theress.

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Nizich, Michsel A (GOV)" <mike.nizich@alaska.gov>

Date: Thu, 07 Feb 2008 10:27:11

To: ftb907@yahoo.com, ExternalEmailgsp <gov.sarsh@yahoo.com>, "Leighow, Sharon W (GOV)" <sharon.leighow@alaska.gov>, "Tibbles, Michael A (GOV)" <mike.tibbles@alaska.gov>

Subject: RE: For your approval

The Gov also met her at an AOC function last Feb. I was there when that happened.

-----Original Message-----

From: Frank Bailey [mailto:ftb907@yahoo.com]

Sent: Thursday, February 07, 2008 10:19 AM

To: ExternalEmailgsp; Leighow, Sharon W (GOV); Nizich, Michsel A (GOV); Tibbles, Michael A (GOV)

Subject: Re: For your approval

Joe is saying you met her at an event in Fairbanks just prior to the general election. You'll also have a brief opportunity to say hi at the AOC event this weekend.

-----Original Message-----

From: gov.sarah@yahoo.com

Date: Thu, 7 Feb 2008 19:03:30

To: "Sharon Leighow" <sharon.leighow@alaska.gov>, "M Nizich" <mike.nizich@alaska.gov>, "Mike Tibbles" <mike.tibbles@alaska.gov>, "Frank Bailey" <ftb907@yahoo.com>

Subject: Re: For your approval

If reporters want to talk to me about this, pls send them through. Also, I'm asking Nizich to chime in on presser.

Frank or Tibbles- can you recall if I've ever met theresa?

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Leighow, Sharon W (GOV)" <sharon.leighow@alaska.gov>

Date: Thu, 07 Feb 2008 09:28:23

To: gov.sarah@yahoo.com

Subject: For your approval

FOR IMMEDIATE RELEASE

No: 08-0XX

Privileged or Personal Material Redacted

#

Sharon Leighow

Deputy Press Secretary

Deputy Communications Director

(907) 269-7450 Anchorage

(907) 465-4031 Juneau

(907) 240-7943 cell

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 10:14 AM
To: Leighow; Sharon W (GOV); Nizich; Michael A (GOV); Tibbles; Michael A (GOV); Frank Bailey
Subject: Re: For your approval

Got my answer re: mtg her. Thanks

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: gov.sarah@yahoo.com

Date: Thu, 7 Feb 2008 19:03:30

To: "Sharon Leighow" <sharon.leighow@alaska.gov>, "M Nizich" <mike.nizich@alaska.gov>, "Mike Tibbles" <mike.tibbles@alaska.gov>, "Frank Bailey" <ftb907@yahoo.com>

Subject: Re: For your approval

If reporters want to talk to me about this, pls send them through. Also, I'm asking Nizich to chime in on presser.

Frank or Tibbles- can you recall if I've ever met theresa?

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Leighow, Sharon W (GOV)" <sharon.leighow@alaska.gov>

Date: Thu, 07 Feb 2008 09:28:23

To: gov.sarah@yahoo.com

Subject: For your approval

FOR IMMEDIATE RELEASE

No: 08-0XX

Privileged or Personal Material Redacted

Privileged or Personal Material Redacted

#

Sharon Leighow

Deputy Press Secretary

Deputy Communications Director

(907) 269-7450 Anchorage

(907) 465-4031 Juneau

(907) 240-7943 cell

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Thursday, February 07, 2008 9:55 AM
To: bearqst@ak.net
Subject: RE: Other

Thank you for writing to Alaska Governor Sarah Palin. The concerns, opinions, and/or information you have sent are important and valuable to the Governor. Although she is unable to respond to each and every email herself, your message has been received and is being reviewed by the appropriate staff person in this office who can best address your need, suggestion, or comment.

-----Original Message-----

From: WebMail@gov.state.ak.us [mailto:WebMail@gov.state.ak.us]
Sent: Wednesday, February 06, 2008 4:18 PM
To: Governor Sarah Palin (GOV sponsored)
Subject: Other

Web mail from: Mr. John Johnston
address: P.O. Box 55028 North Pole AK 99705
907.459.1153

MESSAGE:

Dear Governor,

I understand that as of July of this year, the MAST Program in Alaska will no longer exist. As an Alaskan that spends much of his time in the outdoors recreating with friends and family, I urgently ask that you do all in your power to prevent this from happening.

I can think of at least 2 separate incidents where having MAST available has save a friends life. My wife and I, along with our grandchildren spend many hours in the winter snowmobiling, I would hate to think of the consequence that might occur if one of grandchildren were to be seriously hurt in a remote location and no emergency medical assistance, such as MAST were available.

Not only is this a life saving service for rural Alaskans, it provides a training grounds for our service personal that their medics can not get anywhere else. In the spirit of public safety and to help insure that our service personnel medical teams get the best training possible, please fight to keep MAST in Alaska.

Thank you for your time and consideration

John E. Johnston

bearqst@ak.net

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Thursday, February 07, 2008 9:55 AM
To: tammyswofford@yahoo.com
Subject: RE: Other

Thank you for writing to Alaska Governor Sarah Palin. The concerns, opinions, and/or information you have sent are important and valuable to the Governor. Although she is unable to respond to each and every email herself, your message has been received and is being reviewed by the appropriate staff person in this office who can best address your need, suggestion, or comment.

-----Original Message-----

From: WebMail@gov.state.ak.us [mailto:WebMail@gov.state.ak.us]
Sent: Wednesday, February 06, 2008 4:59 PM
To: Governor Sarah Palin (GOV sponsored)
Subject: Other

Web mail from: Ms. tammy swofford
address: 1811 Pilgrim Drive Irving TX 75061

MESSAGE:

Governor Palin,
You made the blog.... www.tammyswofford.blogspot.com

One of your fans, Lori Jennings, wrote the blog. Her husband is a police officer and member of the National Guard.

Best Regards,

Tammy

tammyswofford@yahoo.com

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Thursday, February 07, 2008 9:52 AM
To: cadkins@mosquitonet.com
Subject: RE: Other

Thank you for writing to Alaska Governor Sarah Palin. The concerns, opinions, and/or information you have sent are important and valuable to the Governor. Although she is unable to respond to each and every email herself, your message has been received and is being reviewed by the appropriate staff person in this office who can best address your need, suggestion, or comment.

-----Original Message-----

From: WebMail@gov.state.ak.us [mailto:WebMail@gov.state.ak.us]
Sent: Wednesday, February 06, 2008 5:31 PM
To: Governor Sarah Palin (GOV sponsored)
Subject: Other

Web mail from: Ms. Constance Adkins
address: PO Box 56154 North Pole AK 99705
907-488-6216

MESSAGE:

Dear Governor Palin,

This is a letter to ask you to please use your office to try to intervene with the military at Ft. Wainwright and try to get them to retain the Mast Program.

I understand that you were notified that this program is to cease in July 2008.

This is a vital program for our civilian and military personnel.

It is my understanding that the Army intends to try to find a private medical helicopter contractor, but for military support only. I am skeptical that there are the necessary capabilities within the civilian sector for the remote and difficult missions they encounter.

Considerations that would seem to me to promote the continuation of this program would be that:

>MAST equipment and personnel do not represent an additional expense to the Army. The MAST Program utilizes aircraft and personnel that are on hand to provide necessary medical support to troops in Alaska, especially those training in remote locations.

>Throughout the history of the Alaskan MAST Program, many deployments and overseas training missions have taken place. The Army has always maintained medical helicopter capability at Ft. Wainwright during these times to serve soldiers and the public.

>Any training or equipment used in these missions that is not routinely supplied by the Army is provided through the support of the Interior Region EMS Council, the State of Alaska, and others. We have provided Alaska and National Registry certified EMT courses, civilian communications equipment, pediatric equipment, advanced cardiac

equipment and other training and equipment.

>MAST mission flight hours represent necessary pilot and crew training, therefore not causing any additional expense.

>This is extremely valuable training for pilots and crew. The extreme geography, weather, and other difficult conditions are excellent training for not only the Alaskan military mission, but also service in war zones.

>The Army helicopter crews provide military and civilian service in extremely remote and rugged places, under extreme weather conditions, and utilizing night vision and other highly technical capabilities. This mission has saved many lives in Alaska and there is no service that we are aware of that can perform the military or civilian service under contract.

Sincerely,

Constance Adkins

csdskins@mosquitonet.com

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 9:45 AM
To: Leighow; Sharon W (GOV); Nizich; Michael A (GOV)
Subject: Re: For your approval

Mike N- what do you think? I'm tempted to add, Privileged or Personal Material Redacted
Privileged or Personal Mate... what do you think?

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Leighow, Sharon W (GOV)" <sharon.leighow@alaska.gov>

Date: Thu, 07 Feb 2008 09:28:23

To: gov.sarah@yahoo.com

Subject: For your approval

FOR IMMEDIATE RELEASE

NO: 08-0XX

Privileged or Personal Material Redacted

#

Sharon Leighow

Deputy Press Secretary

Deputy Communications Director

(907) 269-7450 Anchorage

(907) 465-4031 Juneau

(907) 240-7943 cell

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 9:22 AM
To: Mason; Janice L (GOV)
Subject: Re: Mt. Edgecumbe Suicide: Briefing

Did u tell her we're on it?

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Mason, Janice L (GOV)" <janice.mason@alaska.gov>

Date: Thu, 07 Feb 2008 08:54:32

To: gov.sarah@yahoo.com

Subject: FW: Mt. Edgecumbe Suicide: Briefing

Governor - I am forwarding this to you as requested by Rhonda. I know that you aware of this and we have already taken steps to get letters out. Janice

From: McBride, Rhonda (GOV)

Sent: Wednesday, February 06, 2008 5:49 PM

To: michael.nizich@alaska.gov; Mike Tibbles (michael.tibbles@alaska.gov); Kim, Anna C (GOV); Mason, Janice L (GOV)

Cc: Monegan, Walt C (DPS); Jackson, Karleen K (HSS); Sandoval, Tammy K (HSS); tara.jolllie@alaska.gov; Wilken, Jessica M (GOV)

Subject: Mt. Edgecumbe Suicide: Briefing

Please pass this on to the Governor....

This week the Suicide Prevention Council is meeting in Juneau. This tragedy might be a topic of conversation. The tragedy gives insight into an issue that has dogged our state

for decades. It underscores the need for more suicide prevention awareness.

Please keep in mind that some of this information is confidential but provided for context.

MT. EDGE CUMBE SUICIDE: Background Information obtained from Mt. Edgecumbe Supt. Bill Denkinger

Tel: (907) 966-3201. Fax: (907) 966-2442

On Monday, February 4th, a sixteen-year-old student at Mt. Edgecumbe attempted to strangle herself in her dormitory room. A dorm attendant found her, as she was making rounds before "lights out" at 10:30pm. Students watched as Rachelle George was rushed out in a gurney. She died the next day at Mount Edgecumbe Hospital.

Rachelle's hometown is listed as Bethel. Mt. Edgecumbe's superintendent says she has been a ward of the state for the past few years. Her mother is from Akiachak and did not have custody.

As I talked with Superintendent Bill Denkinger over the phone, his voice choked back grief. He spoke softly as he recollected how Rachelle did well in school - that she earned mostly B's, a few A's and one C+. He said she had a beautiful singing voice.

Teachers and staffers knew that Rachelle had a "horrendous childhood." One sign of the instability in her life: Rachelle recently met a half sister at Mt. Edgecumbe, a sister she never knew about.

Denkinger says there were suicides the 1940's and 1950's when the BIA managed the Mt. Edgecumbe, but there haven't been any since then -- so suicide hasn't been on the school's radar screen.

As for Rachelle, school and dorm staffers did not suspect she was on the verge of suicide. She was seen shortly before her death appearing calm, giving no sign of emotional turmoil. But the evidence suggests she had been planning it for some time.

During the Christmas holidays, Rachelle used all the money she had been gifted with to buy candy and "goodies" for others. She also left a detailed note willing her possessions to others and a letter of apology to a family member, about some kind of a conflict they had experienced.

Looking back, Denkinger says there were some warning signs that were missed. In December, Rachelle told a dormitory social worker that she was struggling with flashbacks from her childhood. She scheduled several appointments and missed her last one on January 31st.

The superintendent says the response to the suicide has been quick. OCS staffers and local clergy are providing counseling and doing an excellent job of meeting the needs of the students at this time. Also, students in rooms near Rachelle's have been given the option to move.

One parent who wrote the Governor, Kelly Lincoln of Bethel, says she fears some students will quit school. Others blame themselves. The worst case scenario: copycat suicides. In her e-mail, she refers to Alakanuk -- a village on the Lower Yukon -- that was the subject of the Anchorage Daily News' Pulitzer Prize winning series, "People in Peril." Alakanuk experienced a suicide epidemic in the 1980's and early 90's.

Another concern: some students in the dormitory have been re-traumatized. Several have either witnessed suicides in their own family or discovered the body of a victim. One student who has had trouble coping has been hospitalized.

Denkinger is not sure how Rachelle's death could have been prevented. He did say the loss of grants forced the school to staff the dormitory with contract workers. The lower wages have led to high turnover. Denkinger would like to see state employees fill these positions, so there can be more stability to help support at risk students.

A memorial for Rachelle will be held Friday, February 8th in Sitka. The Superintendent says a letter from the Governor expressing condolences and offering encouragement to the students would be appreciated.

The following e-mail is from Kelly Lincoln, whose daughter Allie was Rachelle's next door neighbor. Kelly and her husband Greg own "The Delta Discovery," a newspaper in Bethel. They are originally from Toksook Bay and are a positive force for change in the region. Every issue celebrates some aspect of Native life and culture. One has to wonder what the next issue of the Delta Discovery will hold.

Web mail from: Ms. Kelly Jean Lincoln

address: PO Box 1028 Bethel AK 99559

543-3548

MESSAGE:

Dear Sarah,

As you may have already heard, there was a suicide at Mt. Edgecumbe High School last night. Her name was Rachelle George from Bethel, age 16. She was my daughter's close friend and next door neighbor in their dorm at MEHS. My daughter Allie had a front row seat to all the commotion due to her closeness and now she is devastated. She called me crying around 11pm last night when all the police and medics were there. I was in shock, I couldn't believe that this was happening to us. She thinks that it was her fault, that she should have stayed with her in her room. I told her, it's not your fault, we didn't know. She is not comfortless though. The support staff at MEHS is working very hard to make sure the kids are okay, although I am scared of the possibility of copycat suicides - remember Alakanuk? Anyway, the issue of dropping out of school and coming home has reared its head. I mean, who wants to live next to an empty room where your friend used to live and is no

longer there? All the

memories, the laughs, etc. They used to go to breakfast together. I pray to God that she will not drop out and I pray that everything will be okay and that she will decide for herself to stay in school and continue. Well, I just wanted to say all that and to see if you had any plans to visit those poor kids. It is like a bomb dropped on our state with its epicenter in Sitka and my poor sweet Allie is right in the middle of it. Thank you for your time and I hope that I didn't bother you too much. Qu yana,

Kelly

kelly@deltadiscovery.com

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 8:06 AM
To: Leighow, Sharon W (GOV)
Subject: Re: Clarification

Yep

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "Leighow, Sharon W (GOV)" <sharon.leighow@alaska.gov>

Date: Thu, 07 Feb 2008 08:00:58

To: gov.sarah@yahoo.com

Subject: Re: Clarification

She is also asking about the pacwest contract. We canceled that-right?

----- Original Message -----

From: gov.sarah@yahoo.com <gov.sarah@yahoo.com>

To: Leighow, Sharon W (GOV)

Sent: Thu Feb 07 06:01:32 2008

Subject: Fw: Clarification

Fyi on Private see below.

Also, if Bluemink wants follow up for her story on what we've done to un-do Murkowskiisms, add that we've literally opened doors between Lt. Governor's office and ours - and doors that had been previously closed in capitol bldg between third floor and everyone else are now open. Same with Atwood bldg. Also, I gave back Regulation Review duties to Lt. Governor after Murk took them away from Leman (the appropriately belong in Lt. Governor office), along with faith-based initiative seat.

Also We've reduced security and house staff, we quit renting the house he used in Anchorage, gave back the yacht slip in Juneau boat harbor so fish and game had a slip for their boat, etc etc.

Re: Comm position- Nizich assures me it's easy to upgrade and tweak job description if the open position needs changing in order to attract candidates - pay, location, duties, etc. I don't know if Privile or others can afford to take the job if we require a lot of back and forth - unless we upgrade.

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "PARNELL, S (GOV sponsored)" <sr.parnell@alaska.gov>

Date: Wed, 06 Feb 2008 21:38:26

To: gov.sarah@yahoo.com

Subject: Re: Clarification

Privileged or Personal Material Redacted

Sean

----- Original Message -----

From: gov.sarah@yahoo.com <gov.sarah@yahoo.com>

To: PARNELL, S (GOV sponsored)

Sent: Wed Feb 06 21:21:39 2008

Subject: Re: Clarification

Just want to make sure Privileged or Personal Material Redacted
Pr and if Sharon chooses to hire.

-----Original Message-----

From: PARNELL, S (GOV sponsored)

To: Governor Sarah Palin

Sent: Feb 6, 2008 9:15 PM

Subject: Clarification

Just re-read your email--re Privile can you help me understand your concern about Privileg
Privileged or Personal Material Redacted

Sent from my BlackBerry® device from Cellular One

Unknown

From: gov.sarah@yahoo.com
Sent: Thursday, February 07, 2008 8:02 AM
To: Leighow; Sharon W (GOV)
Subject: Fw: Clarification

Fyi on Privile see below.

Also, if Bluemink wants follow up for her story on what we've done to un-do Murkowskiisms, add that we've literally opened doors between Lt. Governor's office and ours - and doors that had been previously closed in capitol bldg between third floor and everyone else are now open. Same with Atwood bldg. Also, I gave back Regulation Review duties to Lt. Governor after Murk took them away from Leman (the appropriately belong in Lt. Governor office), along with faith-based initiative sest.

Also We've reduced security and house staff, we quit renting the house he used in Anchorage, gave back the yacht slip in Juneau boat harbor so fish and game had a slip for their boat, etc etc.

Re: Privile position- Nizich assures me it's easy to upgrade and tweak job description if the open position needs changing in order to attract candidates - psy, location, duties, etc. I don't know if Privile or others can afford to take the job if we require a lot of back and forth - unless we upgrade.

Sent from my BlackBerry® device from Cellular One

-----Original Message-----

From: "PARNELL, S (GOV sponsored)" <sr.parnell@alaska.gov>

Date: Wed, 06 Feb 2008 21:38:26

To: gov.sarah@yahoo.com

Subject: Re: Clarification

Privileged or Personal Material Redacted

Sean

----- Original Message -----

From: gov.sarah@yahoo.com <gov.sarah@yahoo.com>

To: PARNELL, S (GOV sponsored)

Sent: Wed Feb 06 21:21:39 2008

Subject: Re: Clarification

Just want to make sure Privileged or Personal Material Redacted
Privand if Sharon chooses to hire.

-----Original Message-----

From: PARNELL, S (GOV sponsored)

To: Governor Sarah Palin

Sent: Feb 6, 2008 9:15 PM

Subject: Clarification

Just re-read your email--re Privile can you help me understand your concern about Privilege
Privileged or Personal Material Redacted

Sent from my BlackBerry® device from Cellular One

Unknown

From: PARNELL, S (GOV sponsored) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=SRPARNELL1]
Sent: Wednesday, February 06, 2008 9:38 PM
To: 'gov.sarah@yahoo.com'
Subject: Re: Clarification

Privileged or Personal Material Redacted

Sean

----- Original Message -----

From: gov.sarah@yahoo.com <gov.sarah@yahoo.com>
To: PARNELL, S (GOV sponsored)
Sent: Wed Feb 06 21:21:39 2008
Subject: Re: Clarification

Just want to make sure Privileged or Personal Material Redacted
and if Sharon chooses to hire.

-----Original Message-----

From: PARNELL, S (GOV sponsored)
To: Governor Sarah Palin
Sent: Feb 6, 2008 9:15 PM
Subject: Clarification

Just re-read your email--re Privile can you help me understand your concern about Privilege
Privileged or Personal Material Redacted

Sent from my BlackBerry® device from Cellular One

Unknown

From: Mason, Janice L (GOV) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=JLMASON]
Sent: Thursday, February 07, 2008 10:27 AM
To: govpalin@alaska.gov
Subject: Email -

Governor - This one I thought you should read. Janice

From: WebMail@gov.state.ak.us [<mailto:WebMail@gov.state.ak.us>]
Sent: Wednesday, February 06, 2008 4:59 PM
To: Governor Sarah Palin (GOV sponsored)
Subject: Other

Web mail from: Ms. tammy swofford
address: 1811 Pilgrim Drive Irving TX 75061

MESSAGE:
Governor Palin,
You made the blog.... www.tammyswofford.blogspot.com

One of your fans, Lori Jennings, wrote the blog. Her husband is a police officer and member of the National Guard.

Best Regards,

Tammy

8/28/2009

PRA_GSP01_0011627

Unknown

From: Bailey, Frank T (GOV) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=FTBAILEY]
Sent: Thursday, February 07, 2008 3:30 PM
To: Leighow; Sharon W (GOV); Palin; Sarah H (GOV)
Subject: FW: EEO COUNTS

We had to pull from a few lists on this. 63 of your 288 appointees did NOT declare what ethnic background they were....that's one fifth.

So of the known appointees, 10% (23 of 225) were Alaska Native from all around the State.

I'll bring this over printed.

From: Essary, Karen S (GOV)
Sent: Thursday, February 07, 2008 3:06 PM
To: Bailey, Frank T (GOV)
Subject: EEO COUNTS

This is what I came up with...

288 appointments or reappointments currently sitting on a board.
 225 appointments or reappointments declared EEO information at all

23, or 10% of EEO declared appointees (225) are Alaska Native
 23, or 8% of total (288) appointees are Alaska Native

EEO Code	EEO Description	
D	F Alaska Native	9
A	F American Indian	
B	F Asian or Pacific Islander	2
C	F Black	1
E	F Hispanic	1
H	F White	42
F	F Unknown Ethnicity	28
P	M Alaska Native	14
K	M American Indian	
L	M Asian or Pacific Islander	1
O	M Black	2
S	M Hispanic	
T	M White	69
M	M Unknown Ethnicity	56
UNDECLARED		63

8/27/2009

PRA_GSP01_0011628

Unknown

From: Bailey, Frank T (GOV) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=FTBAILEY]
Sent: Thursday, February 07, 2008 5:09 PM
To: Governor Sarah Palin (GOV sponsored)
Subject: RE: EEO COUNTS

Whoops~!

Thanks Donna.

From: Governor Sarah Palin (GOV sponsored)
Sent: Thursday, February 07, 2008 3:35 PM
To: Bailey, Frank T (GOV)
Subject: RE: EEO COUNTS

Frank,
 This is not the Governor's personal account.
 Donna

From: Bailey, Frank T (GOV)
Sent: Thursday, February 07, 2008 3:30 PM
To: Leighow, Sharon W (GOV); Palin, Sarah H (GOV)
Subject: FW: EEO COUNTS

We had to pull from a few lists on this. 63 of your 288 appointees did NOT declare what ethnic background they were....that's one fifth.

So of the known appointees, 10% (23 of 225) were Alaska Native from all around the State.

I'll bring this over printed.

From: Essary, Karen S (GOV)
Sent: Thursday, February 07, 2008 3:06 PM
To: Bailey, Frank T (GOV)
Subject: EEO COUNTS

This is what I came up with...

288 appointments or reappointments currently sitting on a board.
 225 appointments or reappointments declared EEO information at all

23, or 10% of EEO declared appointees (225) are Alaska Native
 23, or 8% of total (288) appointees are Alaska Native

EEO Code	EEO Description	
D	F Alaska Native	9
A	F American Indian	
B	F Asian or Pacific Islander	2
C	F Black	1

8/25/2009

E	F Hispanic	1
H	F White	42
F	F Unknown Ethnicity	28
P	M Alaska Native	14
K	M American Indian	
L	M Asian or Pacific Islander	1
O	M Black	2
S	M Hispanic	
T	M White	69
M	M Unknown Ethnicity	56
UNDECLARED		63

8/25/2009

PRA_GSP01_0011630

Unknown

From: Ruaro, Randall P (GOV) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=RPRUARO]
Sent: Thursday, February 07, 2008 1:08 PM
To: 'gov.sarah@yahoo.com'
Subject: Meeting with AVAC / Loose ends

Governor:

Thanks for the time meeting with AVAC. Sorry if I did not speed Bert Hall along fast enough. I was watching the clock at 15-20 minutes and waiting for an opening but he was pretty steady.

I will work with the group on their issues and loop the other special assistants in where necessary.

Thanks,

Randy

8/25/2009

PRA_GSP01_0011631

Unknown

From: Ruaro, Randall P (GOV) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=RPRUARO]

Sent: Thursday, February 07, 2008 1:08 PM

To: 'gov.sarah@yahoo.com'

Subject: Meeting with AVAC / Loose ends

Governor:

Thanks for the time meeting with AVAC. Sorry if I did not speed Bert Hall along fast enough. I was watching the clock at 15-20 minutes and waiting for an opening but he was pretty steady.

I will work with the group on their issues and loop the other special assistants in where necessary.

Thanks,

Randy

8/26/2009

PRA_GSP01_0011632

Unknown

From: Fagerstrom, Erika (GOV) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=EFAGERSTROM]
Sent: Thursday, February 07, 2008 10:25 AM
To: Palin; Sarah (GOV sponsored)
Cc: 'Todd'
Subject: RE: Updates

Governor,

I have the Position Description Questionnaire (PDQ) from 1995 that Linda sent me and the Governor's House Position Description 2000/2004. I should have them ready to send to you by this morning.

The mirror should be arriving any day from J.C. Penneys and we can hang it up the day it arrives; plus get Piper's room together with her new bedding.

I apologize in advance for not making a decision and carrying it out in regards to this; I want you to be informed of the options to avoid any potential surprises.

Options:

1. Cedar closet: The "If they can't see it and we don't talk about it" Plan. Before any workers come in- move the t-bed into the Historical bedroom (cover it) so it's out of sight and leave the washer/dryer in the Cedar closet, so that's all the electricians/workers see, and make sure that any verbiage does not refer to a t-bed. Once the work is done we can move it into the cedar closet, plug it and it's ready to go. I would have a locking door knob installed, so that the room is kept locked at all times, this protects your privacy and keeps unwanted friends (kids) from using it. In the spring during phase 2 of the plumbing project the w/d would be installed in the linen closet. The 220 outlet can benefit the House in the future for a variety of uses, not just this one. If you're comfortable with this scenario, then I'll get things moving right away.

2. If you're not comfortable with option 1, then I'll proceed with moving it down to the basement and using/sharing the dryer outlet.

Gail, from the AK Club, had mentioned earlier that it needs to have a regular control panel installed as it's currently set-up for commercial use. I can have them do that right away.

Please let me know if you have any questions.

Thank you,

Erika

Erika Fagerstrom
Executive Residence Manager
Governor's House
State of Alaska, Office of the Governor
716 Calhoun Avenue, Juneau, Alaska 99801
Phone: 907-465-3500; Fax: 907-465-2031

-----Original Message-----

From: Palin, Sarah (GOV sponsored)

8/25/2009

Sent: Thursday, February 07, 2008 8:46 AM
To: Fagerstrom, Erika (GOV)
Cc: 'fek9wnr@yahoo.com'
Subject: Updates

- * staff job descriptions
- * outlets/washer/
- * full length mirror

When you get a chance can you email updates on these. Our desire still is for an availability of power for sunbed without it being perceived as costs to the state to plug the thing in. So either plugging it in downstairs or wherever the washer/dryer is going. I do want to use the bed or I can try to sell it in the classifieds if it can't be used. Thanks

And job descriptions are necessary so I'll know what's legal, what is not to request of staff. Thanks

8/25/2009

PRA_GSP01_0011634

Unknown

From: PARNELL, S (GOV sponsored) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=SRPARNELL1]
Sent: Thursday, February 07, 2008 6:12 PM
To: gov.sarah@yahoo.com
Cc: Tibbles; Michael A (GOV)
Subject: Legislators and merit scholarships

I have a few conversations to report on legislators comments on merit scholarships—

Kevin Meyer asked me how he might fund merit scholarships in stages (100-200 million this year, for exemple). And, Wes Keller is very supportive.

Guttenberg says he already plans to introduce a pure needs based scholarship. Jim, the guy from Louisiana, talked with him about how that was where Louisiana started but quickly transitioned to merit scholarships (kids were stigmatized when it was a pure needs based scholarship rather than a merit based scholarship). Now, kids are proud to be pursuing that scholarship and bringing their friends along to improve academic performance.

With these legislators and others I have not committed you to this course beyond saying you were interested in pursuing innovative education ideas that work and that you were interested in generating conversation on the idea.

Sean

8/26/2009

PRA_GSP01_0011635

Byers, Gail Y (LAW)

From: Fagerstrom, Erika (GOV) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=EFAGERSTROM]
Sent: Thursday, February 07, 2008 2:46 PM
To: gov.sarah@yahoo.com
Subject: Governor's House Position Descriptions

Governor,

Here are the Position Description attachments. I failed to send the Position Description Questionnaires (1995) in the mail, so I'll drop those off in just a minute.

Thank you,
Erika

Erika Fagerstrom

Executive Residence Manager

Governor's House

State of Alaska, Office of the Governor

716 Calhoun Avenue, Juneau, Alaska 99801

Phone: 907-465-3500; Fax: 907-465-2031

6/9/2009

PRA_GSP01_0011636

GOVERNOR'S HOUSE

POSITION DESCRIPTION

(2/11/2005)

EXECUTIVE RESIDENCE MANAGER & ASSISTANT TO THE FIRST SPOUSE

The Executive Residence Manager and Assistant to the First Spouse (hereinafter referred to as "Manager") is a full-time, totally exempt, Range __, salaried position, located in Juneau. Normal work week consists of 37.5 hours, Monday through Friday. All employees must be willing to work flexible hours and days occasionally, including Saturday, Sunday, or both, depending on the schedule of the First Family and Governor's House functions.

This position is responsible for managing the household affairs and serves as liaison between the House and the Governor's Office, other state agencies, and the public. The Manager oversees the day-to-day operations of the House, attends to the administrative details of running the House, supervises staff according to needs of the First Family and Governor's House Function Schedule, coordinates and oversees all official functions, building and grounds maintenance, monitors security, and additionally serves as Assistant to the First Spouse. The First Spouse's community outreach appointments are made through the Manager, but may receive assistance from the Governor's Office staff, whichever the First Spouse prefers. The Manager coordinates the community outreach schedule with the Governor's House Schedule and may accompany the First Spouse to community outreach events; drafts letters; and assists with First Spouse's speeches, as needed, whether by researching and drafting remarks or by requesting assistance from the Governor's Office. In case of emergency due to staff absence or whenever needed due to short staffing, the Manager will help staff with any and all duties where needed.

The person hired for this position must be well organized and efficient in all office, clerical, and supervisory duties, as well as knowledgeable about building and furniture maintenance.

Due to split shifts, a minimal number of employees at the Governor's House, and the fact that each employee will often be alone in the House, all employees must be able to:

- answer and respond to questions over the phone;
- handle persons or situations at the front door;
- respond quickly and appropriately, as necessary in case of fire, medical, or other emergencies;
- climb three sets of stairs throughout the work day in order to quickly and efficiently complete various tasks.

See the attached detailed schedule of the Manager's duties.

DAILY -- MANAGER'S DUTIES

(2/11/2005)

<u>WHAT</u>	<u>HOW</u>
Daily Priority #1	Upon entering the House, walk through Main Floor to familiarize yourself with cleaning or maintenance needs and priorities (curtains, fireplace, flowers/plants, floors, dishes, etc.) to discuss, if needed, with Housekeepers and Chef.
Daily Priority #2	Review schedule, check with First Spouse, regarding daily needs, and supervise staff according to needs of First Family and House schedule. Discuss daily schedules and priorities with Housekeepers and Chef, as they arrive. Schedule daily tasks to fit into House schedule for the day.
Hours	Usually, will work a straight 7 1/2 hour shift from 8:00-4:30pm daily, depending on the House schedule of special events and the First Family. However, the need to work after hours and weekends is often required.
Administration	This is the most time consuming part of this job. A great deal of time is spent dealing with Governor's House staff; personnel from other departments, particularly crews from D.O.A., Governor's Office, and department commissioners and secretaries; legislators and staff (during the legislative session); and local clubs and organizations, when planning and directing the various functions held at the Governor's House.
Phones	Serves as "primary receptionist"-- answers and screens calls. Is the contact person in the House for the public and all other agencies. If phone rings twice, other staff pick up.
Tours	Schedules tours on Monday-Friday, during normal working hours, as requests are made via telephone or correspondence. Conducts guided tours through 1st Floor only (excluding pantry, kitchen and back hall), although this duty is shared with a knowledgeable Housekeeper. Usual tours are limited to approx. 20-30 minutes, depending on the number involved. On an average, one or two tours a week are conducted, depending on the time of year. (See Tour Facts Sheet)
Special lunches & dinners	Prepare and/or dispense invitations, coordinate event with House staff, hire temporary servers and/or kitchen help, oversee the event and supervise staff, and assist the First Spouse as hostess, as needed, (answer door, invite guests to hang their coat in the closet or on the coat rack in the Manager's office, sign guest book, distribute name tags (if needed), keep an official count of number of attending guests, document with photographs (if able or request the Press Office to take photos, etc). (Also, see Weekly -- "Official Functions").
Mail	Sort mail delivered to Governor's House by Governor's Office mailroom staff. Mail letters and packages.

DAILY -- MANAGER'S DUTIES

(2/11/2005)

<u>WHAT</u>	<u>HOW</u>
--------------------	-------------------

Calendar	Call Governor's Office and review schedule changes with Governor's Scheduling Director to update First Spouse's Schedule. Inform staff of changes. Inform Security of changes. Give the First Spouse a copy of the following day's schedules.
Correspondence/ paperwork	Sort and screen the mail for Governor's House. Act as liaison between House the Governor's Office, other state agencies, and the public. Compose and draft letters for the First Spouse (and occasionally for the Governor). (Although many requests are answered by the Governor's Office Constituent Relations Office). Complete all required forms, type-written paperwork, and computer items (i.e. labels, name tags, place cards, menu cards, household lists, etc.).
Purchasing/bids	Purchase equipment, non-food supplies, and alcohol, as needed. Review and approve all food purchases by the Chef and any other miscellaneous purchases by staff or First Family, and submit bills to the Fiscal Division for payment. Handle bids in relation to the Governor's House, such as the printed/engraved cocktail napkins, stationery, and envelopes (also see "Daily--bills/expenses"). When only one place has a certain item that is needed (for instance, dishes), ask Administrative Services to explain the policy for "sole source purchasing."
Bills/expenses	Maintain House compliance with State regulations through discussion and questions directed to the Fiscal Division of Administrative Services. Review and approve bills for payment according to State of Alaska regulations, then send invoices to Fiscal for payment. Fill out paperwork to request Field Warrant for payment to a person or company for an order or for reimbursement over \$50.00. Request D.O. # from Purchasing if cost will be \$500.00 or more. Make phone calls for informal bids if cost will be \$1,000.00 or more, but always check with Administrative Services first for updated guidelines. Send Delivery Order Request and bid worksheet "Negotiated Purchase Abstract" Administrative Services. Get formal bids through Administrative Services if cost will be \$5,000.00 or more. (also see Daily-- "purchasing/bids").
Protocol	Research, recommend, and apply proper protocol in dealing with a wide range of individuals, dignitaries, and officials (local, state, national & international). Must be familiar with and adhere to foreign food preferences or taboos.
Travel	Complete "Travel Authorization" for Spouse's community outreach business travel, coordinate TA and travel with Security and inform the Governor's scheduler, make necessary reservations, and submit for approval to the Governor's Office. Fill out computerized TA according to instructions from the Administrative Services Travel

DAILY -- MANAGER'S DUTIES

(2/11/2005)

WHAT

HOW

Travel (cont'd)	Desk. Manager may accompany First Spouse whenever she travels in or out of town on State business. However, if a staff person is needed to accompany the First Spouse out of town, a staff person from the Anchorage or Fairbanks offices will accompany the First Spouse, whichever is closer. If traveling with the Governor, Security will complete the TA and make all reservations and then inform the Manager of all arrangements to be placed on the First Spouse's schedule. If traveling with the Governor, the First Spouse will usually utilize the Governor's staff persons rather than bring an additional staff person to accompany.
Recordkeeping	Maintain House compliance with State and Federal Regulations through close discussion and questions directed to the Director of Administrative Services. Maintain House historical records. Maintain and keep up-to-date House Manual. Update logs for: tours, official functions, meals, guests, maintenance, expenditures, and new facts for potential use in a future Governor's House Facts Booklet. For archiving purposes every four years, only lists of official events, tours, photos and historical information, and folders containing inaugural-level event details will be archived every four years. First Spouse may keep photocopies in office files.
Petty cash	Disburse funds not to exceed \$50.00 per purchase and record receipts. Audit and summarize petty cash account. Send summary and receipts to Fiscal at least once to twice per month for reimbursement of petty cash.
Personnel	<p>Maintain House compliance with State and Federal regulations through discussions and questions directed to the Director of Administrative Services. In the case of staff illness, personal leave, or household functions, temporary staff should be utilized.</p> <p>--prior to any hire, execute a security check with the potential employee and forward to Administrative Services for approval. Do not fill out any further forms until they contact you that the potential employee has cleared the background check (which they will complete through Security).</p> <p>--hire, supervise, and terminate temporaries, as necessary.</p> <p>--hire, supervise, and terminate permanent staff. It should be noted that the Manager will <u>not</u> hire a relative to work in a <u>permanent</u> Governor's House position. Also, no temporary or permanent employee may work in an area that is supervised by their relative. When dealing with a difficult employee or terminating an employee, the Manager must work closely with the Director of Administrative Services.</p> <p>--submit leave slips for all staff, as required.</p>
Miscellaneous duties	In case of emergency or when deemed necessary, share in household duties until temporaries or permanent House staff can takeover.

DAILY -- MANAGER'S DUTIES

(2/11/2005)

<u>WHAT</u>	<u>HOW</u>
Public perception	It is the duty of the Manager to discuss and inform the Governor and/or First Spouse of anything regarding the operation of the Governor's House that the Manager believes might be perceived negatively by the public. This includes any expenditures, events, or utilization of staff that might be perceived to be unethical, inappropriate or simply against good public policy. It will then be up to the Governor and/or First Spouse to decide for themselves, after weighing the information from the Manager, whether events at the House are to be considered personal or official.
ADA	It is the Manager's duty to be reasonably informed about the American Disabilities Act (ADA). It must be kept in mind at all times in order to maintain compliance with federal and state laws. The 1st Floor must be totally accessible to wheelchairs. The Green Room restroom must be kept clear of extra tables to stay in compliance. Special ramps, videos, or other accommodations must be available in certain situations for employees, residents, and guests. The Manager will keep the ADA Coordinator in Administrative Services informed about situations relating to ADA at the Governor's House and will also contact the ADA Coordinator with any questions.
Computer	Maintain computer records with Windows and Word. This includes computer maintenance of deleting documents, creating documents, revising documents, and any other needs as instructed by the Governor's Office IT personnel.
Attire	Manager is expected to dress in professional office attire. The State does not contribute any funds toward the Manager's attire, since this is not considered a uniform.
House Manual	Refer to the House Manual for further details on all aspects of the operation of the Governor's House. Keep House Manual up-to-date, and always discuss changes with Director of Administrative Services to insure compliance.
First Family personal vs. business	It is the duty of the Manager to: review the "First Family personal" versus "State of Alaska business" operations of the Governor's House, as they relate to expenditures, policies, events, and utilization of staff. This is particularly important to assist the Governor and First Spouse when they are planning to hold an event or make a decision affecting the operation of the House--at which time the Governor and First Spouse must decide for themselves whether it should be considered "personal" or "official State business." "Personal" situations and expenditures (i.e. babysitters, birthday parties, personal housekeepers or valets, cooks for weekends for personal guests) will be handled and paid for by the First Family similar to the way they would be handled as private citizens. Meals auctioned off by the Governor and/or First Spouse as donations to fundraisers will be paid and handled strictly by them, personally, and will not involve House staff. State of Alaska business situations will be handled according to the laws

DAILY -- MANAGER'S DUTIES

(2/11/2005)

WHAT HOW

First Family (cont'd)

of the State of Alaska. Governor's House staff are primarily here to maintain the public building and furnishings, to assist during official events, and to help the Governor and/or First Spouse as they transition between private and public life throughout their Administration. If in doubt, the Manager will discuss with the Director of Administrative Services.

WEEKLY -- MANAGER'S DUTIES

(2/11/2005)

WHAT HOW

Calendar Utilizing Outlook software, revise and print First Spouse's schedule for First Spouse, Manager's Office, and House staff.

Staff meeting At least once per week, review schedules, priorities, upcoming functions, organizational needs, maintenance needs, staff comments and concerns.

Staff duties review Walk through House and review staff duties lists. Note incomplete duties or duties requiring improvement. Discuss with respective employee in private. Give praise where deserved.

Official functions Review schedule for upcoming functions. Prepare file and organizational plan, as (includes special as completely as possible, and submit to First Spouse for any special requests.

lunches, dinners, and receptions) -Retain pertinent details on daily Outlook calendar

-Coordinate with organization's coordinator

-Coordinate with House staff (tableware, table linens, flowers, and and written menu suggestion from Chef).

If initiated by Governor, prepare invitations and mail or deliver invitations two weeks in advance or send e-mail invitation, depending on type of event.. Fill-in invitations may be utilized if fewer than 50--printed. For 50+, if a formal event, send to printer for engraved invitations.

-Check RSVP recording phone and note all accepted invitations, as well as regrets (465-2599).

-Hire, as needed, and supervise temporaries. If a permanent House employee serves at the time as the "Steward," the Steward will supervise the set up, serving, clean-up, and the Chef will supervise the kitchen help. Although the Manager is the ultimate

WEEKLY -- MANAGER'S DUTIES

(2/11/2005)

<u>WHAT</u>	<u>HOW</u>
-------------	------------

Official functions (cont'd)

supervisor of all House staff, the Chef is expected to supervise the kitchen workers personally. However, the Chef's supervision does not extend past the kitchen threshold. In other words, although the Manager may review and coordinate the dining room set up with the Chef, as well as any other area where food might be placed, the area on the opposite side of the threshold from the kitchen is the sole responsibility of the Manager who will make the final decision.

-Oversee event and assist staff, if necessary.

-Take pictures for event file.

-Assist First Spouse as hostess, as needed, with answering door, inviting guests to sign guest book, passing out name tags, keeping official count, etc. It is important to request a volunteer to answer the door from the group for which the reception is being held. This saves on cost of hiring extra temporary hires and frees up the Manager to supervise and mingle with guests, as needed.

-Revise function records for official files.

**Maintenance
walk-through**

Quickly check grounds, exterior of House, basement, 1st, 2nd, and 3rd floors for any maintenance needs. Pay special attention during wet weather to leaks or clogged drains on 3rd floor veranda and basement exterior entries. Identify needs, develop and implement necessary action in regard to the management of the facility (repairs to equipment, building, painting, carpet cleaning, etc.)

Recycling

Monitor and send newspapers with the employee who next travels to the Valley (Fred Meyers) or Foodland. The Housekeepers should bag all newspapers --no magazines.

MONTHLY -- MANAGER'S DUTIES

(2/11/2005)

<u>WHAT</u>	<u>HOW</u>
-------------	------------

Liquor closets

Check schedule of upcoming events--purchase wine, etc. accordingly. Keep Liquor Inventory and set of keys. Identify location for staff key.

Exterminator

Pied Piper is contracted by D.O.A. to spray for pests every few months. If signs of pests appear more often, call Pied Piper to come in immediately.

MONTHLY -- MANAGER'S DUTIES (continued)

(2/11/2005)

WHAT HOW

- Dishwasher** Ecolab is contracted by D.O.A. to come in and check dishwasher monthly. Call if needed for repair.
- Filing** If unable to file as you go, complete filing when First Family is out of town.

ANNUALLY/OR AS NEEDED -- MANAGER'S DUTIES

(2/11/2005)

WHAT HOW

- Employees** -- Evaluate each employee (including praise and goals) for required annual evaluation, and possible merit increase. (Office of Personnel will forward forms when needed.) Consult with First Spouse prior to finalizing.
-- In private meeting, when deserved, compliment employee on quality of work and/or discuss problem areas. Regression should be documented for future use, if employee does not improve.
-- Report semi-monthly leave and work hours to Office of Personnel.
- Radiators** Schedule bleeding of radiators by D.O.A.: see *Routine List of Duties* and revise this list as needed. This should be coordinated to with the Housekeepers so they can clean at same time.
- Maintenance** In March, schedule with D.O.A. or private contractors to complete needed maintenance, i.e. painting, grounds maintenance, interior/ exterior house maintenance/repairs, storm windows (Sept & April) and spring projects (power wash veranda, put out veranda furniture, etc), according to *Routine List of Duties*.
- Cleaning** Check schedules to be sure all items have been completed (i.e. bedspreads sent to cleaners; curtains washed and ironed; furniture is spot cleaned; drapes are vacuumed; and carpets are steam cleaned by "Jet Steam" or "Chem-Dry."
- Supplies** Check and order necessary paper supplies (i.e. invitations, stationery) from printer. Try to pay prior to end of fiscal year.
- Fiscal year** End of fiscal year is June 30. All purchases/ expenses pertaining to the current year should be submitted to Fiscal by this date. Coordinate and verify with Fiscal.

ANNUALLY/OR AS NEEDED -- MANAGER'S DUTIES

(2/11/2005)

<u>WHAT</u>	<u>HOW</u>
Garbage	In June, review garbage situation and be sure pick up is no more than twice a week during summer.
Veranda	In May, call D.O.A. to power wash veranda, prior to placing furniture on veranda for the summer.
Security system	In June and beginning of January, schedule systems check with Security to review security system and rules with staff.
Furniture	Check for nicks, spots on furniture and house contents. Discuss any refinishing or reupholstering needs with First Spouse.
Inventories	-In June, schedule staff to complete their respective inventories. Governor's Office Administrative Services, Alaska State Museum, and Alaska Art Bank will supply respective inventory lists for art and certain house objects. -Keep each inventory up-to-date, with clear descriptions for new acquisitions.
Patio furniture	In mid-September, be sure Housekeepers clean, wrap in plastic bags, and store all patio cushions in maintenance room, against wall, to the side of upright freezer. Then call D.O.A. Garden Crew to remove furniture and store in their warehouse until next spring.
Conservatory plants	In mid-November, call D.O.A. to pick up plants, store during the holidays and bring back after holiday decorations are dismantled.
SBS meeting	In October, hold staff meeting about SBS regulations and changes available during end of year only.
Christmas cards	In October, check with First Spouse re: card preferences and contact Governor's Constituent Relations Office to update First Spouse's Christmas card list and begin the card process for the holiday mailing. First Family <i>personal</i> Christmas cards are not to be handled by State employees, nor are State funds to be expended.
Calendars	In November, check with all staff and order each one their preferred calendar for the upcoming year.
Piano tuning	In November, have piano tuned.

ANNUALLY/OR AS NEEDED – MANAGER'S DUTIES

(2/11/2005)

WHAT

HOW

Training

Review with First Spouse, and schedule, as appropriate, work related training for staff, such as telephone etiquette, First Aid/CPR; Governor's Security; D.O.A. "trouble shooting" information training regarding thermostats, House venting system, water pump, fire alarm, furnace, generator, breaker boxes, water leak awareness; classes offered for State of Alaska employees; and NGA training.

Christmas

In August, create a preliminary "Organizational Notes" document for planning of the Christmas Open House, give copy to the First Spouse for her review; and set date for Open House.

Near the end of August, schedule a planning meeting between:

- First Spouse, Manager & Housekeepers to discuss interior Christmas decorations.
- First Spouse, Manager & Chef to review menu.
- First Spouse, Manager & Grounds Supervisor to discuss exterior Christmas decorations (also include plans for next spring)
- Staff to continue discussing progress during each weekly staff meeting.

In September, complete the following:

- Schedule Jet Steam to clean main floor carpets the week following the Open House, if approved by First Spouse.
- Order Christmas decorations, ribbon, etc., as needed.
- Call and schedule Open House entertainment.
- Call and sign up all temporary helpers.

In October, complete the following for the Open House:

- make signs for basement & employee areas.
- call or send sign-up sheets out for volunteers.
- schedule D.O.A. to install disabled ramps and prepare for the public (i.e. prevent slippery walks) prior to the Open House.
- enlist two D.O.A. persons to assist with disabled during the Open House.
- make preliminary media contact with Governor's Office, newspapers, radio and television.

In November:

- complete I.D. tags for all entertainers, volunteers and paid help to wear during Open House and show to Security for entrance to the House, downstairs, and back hall the night of the open house,
- schedule orientation for all volunteers: to distribute all I.D. tags, to carefully inform them of their time to entertain or to work.

In December -- five days before the Open House:

- call and confirm all plans with all paid temporary helpers, entertainers and volunteers.
- arrange for extra garbage pick up the day after the Open House.

After the Open House: keep detailed record of all arrangements, including written plan of decorations.

ANNUALLY/OR AS NEEDED – MANAGER'S DUTIES (continued) (2/11/2005)

WHAT

HOW

Legislative Session	In January, update legislative spouses and aides list in computer and run copies for self and First Spouse.
Annual events	In addition to special functions held by the First Family, discuss with the First Spouse, and if approved, coordinate and organize all Governor's House events. Keep an annual list of that year's events, as well as a separate file for related pictures and paperwork for each event.

EVERY FOUR YEARS -- MANAGER'S DUTIES

(2/11/2005)

WHAT

HOW

Archives	In December (every 4 years--at the end of each Administration), coordinate with Archive Officer at Governor's Office Administrative Services. Check for files in basement storage bedroom, 3 rd floor cedar closet file cabinets, 1 st floor back hall closet, and Manager's closet and file cabinets.
Campaigns	Manager should be aware and monitor State employees during campaigns. Staff is not allowed to complete any work (including phone calls, thank you letters from Governor or First Spouse, etc.) on behalf of anyone's campaign on State time and/or using State equipment or supplies. To receive Faxes is permissible, as this is considered their home. Anyone can work on a campaign on their own time on their home personal computer.
Swearing-in ceremonies & inaugural events	Manager should be aware that coordination of the Swearing-In Ceremonies is handled by the Director of Administrative Services. All other inaugural events are handled strictly by the Governor's <u>personal</u> campaign staff/volunteers. Therefore, it is the Manager's responsibility to insure that House personnel are not utilized in any way in relation to inaugural events, except in regard to the private reception following the swearing-in ceremonies, which is usually held at the Governor's House. Most other receptions, lunches, and dinners hosted at the Governor's House by the Governor and First Spouse will also be considered "official" if they include guests that the First Family would not normally associate with other than as the First Family.
Immediate issues (following election results)	*Identify the day the Governor and First Spouse wish to hold the December Open House. *Schedule time for the First Spouse to Meet with the Executive Residence Manager. Residence Manager and Director of Administrative Services to discuss administrative matters relating to the House.

EVERY FOUR YEARS -- MANAGER'S DUTIES

(2/11/2005)

<u>WHAT</u>	<u>HOW</u>
--------------------	-------------------

Immediate issues (cont'd)

*Schedule time for the First Spouse to meet with the Executive Residence Manager to review the First Family's preferences regarding food, sleeping quarters, the Governor's House Swearing-In Reception, and any other special functions, if any, to be held prior to Christmas.

*Schedule time for the incoming First Spouse to meet with the outgoing First Spouse at the House for a tour and to meet House staff.

**Discussion with
incoming
Governor and/
or First Spouse**

Manager should discuss all pertinent information with new First Family, including all Position Job Descriptions (PDQ's); longevity, salary range and step system for the State of Alaska employees; laws, regulations, and policies that might affect the Governor's House; personal phone calls; purchasing requirements; disposing of State property requirements; ADA compliance and need for employee accommodation, if any; Governor's House schedule, according to the needs of the First Family. Manager will also supply them with an up-to-date copy of the House Manual. (Also, give special attention to Daily: "First Family personal versus business" and Daily: "public perception.")

blank

**GOVERNOR'S HOUSE
POSITION DESCRIPTION
(5/20/04)**

EXECUTIVE RESIDENCE HOUSEKEEPER II

This "Executive Residence Housekeeper" position (hereinafter referred to as "Housekeeper II") is a full-time, totally exempt, Range 10 position, located in Juneau. Normal work week consists of 37.5 hours, 11:00am-7:30pm, with occasional 8:30-5:00pm shifts when possible, Monday through Friday, except in the case of official dinners, receptions, or official overnight guests, hours may vary. Depending on the schedule of the First Family and Governor's House functions, an occasional Saturday and/or Sunday may be involved, so must be willing to work flexible hours.

This Housekeeper II position is responsible primarily for the 1st and 3rd floors, while sharing many duties throughout the House with the House Steward. This position requires a great deal of flexibility and a willingness and ability to do whatever needs to be accomplished within the House (including, but not limited to, sewing, cooking, serving, laundering, ironing, cleaning of any type, driving, running errands, shopping, decorating, and working with historical records).

The person hired for the Housekeeper II position must have knowledge of procedures, products and fabric characteristics for cleaning, repairs, and alterations, as required, and special attention to First Family needs. [REDACTED] and some shopping, which requires a valid Alaska State Driver's License.

Due to split shifts and the fact that each employee will often be alone in the House, all employees must be able to:

- answer and respond to questions over the phone;
- handle persons or situations at the front door;
- respond quickly and appropriately, as necessary in case of fire, medical, or other emergencies;
- climb three sets of stairs throughout the work day in order to quickly and efficiently complete various tasks;
- carry items (i.e. cleaning supplies, vacuum cleaners, dishes, lightweight boxes, chairs, etc. to a maximum of 25 lbs.)

See the attached detailed schedule of the Housekeeper II duties.

DAILY DUTIES - - 1st & 3rd Floors

HOUSEKEEPER II

WHAT

HOW

Priority #1
Check with
Manager &
House Steward

Upon arrival, check with Manager regarding daily needs/scheduling priorities: report maintenance needs, problems, unscheduled or unusual occurrences to Manager. If Housekeeper remained last evening, then report any unusual occurrences or number of persons at last evening's events following Manager's departure. Verbally coordinate any shared duties with the Housekeeper I and discuss/clarify any priorities, as needed. Assist where needed with household events and projects. Schedule daily tasks to fit into House schedule for the day. If House Steward is absent, review House Steward's list of duties for items that might take priority over Housekeeper II duties that day. When organizing your day with the Manager, special importance must be given to completing duties as early in the day as possible that might not later be possible in other parts of the House. This often is the case due to additional family members being present after work, school, etc. Throughout the day, as each staff person moves from one area of the House to another, it is helpful to mention to the Manager the location where you might be working if the need arises to find you.

Supervisory note: Each employee should complete their timesheet on a daily basis, as well as any necessary leave requests. All Governor's House staff are accountable to the Governor and First Spouse through the Governor's House Manager. In close coordination with the Manager, the House Steward will train the Housekeeper II in all cleaning duties. The House Steward and the Manager, in close coordination, will be the only persons to pass on training instructions to the Housekeeper II and any temporary hires not assigned to the Chef. Housekeepers will coordinate together and with the Manager, to ensure all daily duties are prioritized and completed in an efficient and timely manner, according to guidelines established by the Governor, First Spouse, and Manager. Ultimate authority and relating paperwork remain with the Executive Residence Manager. All staff will continue to be informed of events and needs as a whole, and each staff person will continue direct contact with the Manager, as needed.

Priority #2
function prep

If it is a function day, coordinate with Manager & House Steward. The usual policy will most likely stand: minimum cleaning, if any, and the Dining Room table setup, etc. will be the morning's and/or early afternoon's priority. When the House Steward is needed in kitchen to assist with event preparation, coordinate with Housekeeper I & Manager for House Steward duties to be absorbed by Housekeeper II.

Priority #3
walk-through

Walk through 1st floor to do the following:

(Unless there has been a storm or obvious problem, the 3rd floor does not have to be checked immediately during this initial walk-through, but can wait until it is time to clean that area.)

- (a) take notes regarding supplies needed;
- (b) take notes regarding major maintenance problems needing immediate attention or anything out of the ordinary to report to the Manager;

Housekeeper II

Page 2 of 12

DAILY--HOUSEKEEPER II (continued)

WHAT

HOW

Priority #3 (cont'd)

Walk-through (c) complete minor maintenance needs in case unexpected guests arrive (replace burned out light bulbs, straighten curtains and cushions, pick up foreign objects, and clear Conservatory table or bar. If needed, return to 1st Floor for in-depth cleaning following 3rd Floor cleaning priorities.

(d) take notes regarding non-priority items and or deep-cleaning as a reminder to complete later when time permits.

(e) *Italicized* duties may be completed during the #3 Priority Walk-through.

1st fl. restroom: Replace towels if used, check Kleenex, check toilet paper for full roll. Wipe down, as needed. (Refer to Weekly "bathrooms").

refrigerator: (*beverage*) In the House Stewards absence, note types/amounts of beverages needed and restock refrigerator. Leave space around edges and at back, so beverages cool properly.

coffee: In the House Stewards absence, replenish the Butler's Pantry coffee supply and empty coffee filters, if any.

supplies: Replenish supplies, as needed, check Kleenex, toilet paper, soap, cleaners in all rooms. If supplies are low in basement storeroom, note that item on the appropriate kitchen shopping list and/or research available location and request Chef to purchase.

light bulbs: Check all light fixtures, chandeliers, and security lights for burned out bulbs and note wattage & type required. Use Windex wipes to keep bulbs dusted (do not spray or use wet wipe on lighted or warm bulbs) and change those you can reach with the appropriate short ladder or platform ladder. DOA will change light bulbs too difficult to reach (i.e. lights over artwork and bulbs in fixtures with globe covers), after reported to the Manager. Check light bulb inventory and add or revise type for each location, if needed.

curtains: Straighten.

leaks/damage: Check for leaks: exterior doors, windows, floors, ceilings, 3rd fl. veranda doors & drains.

light cords: Check light cords. If dangling, tuck up & out of sight. Secure w/tape, if needed.

lamps: Straighten shades, tighten finials, turn on lamp to check for burned out bulbs.

telephones: Straighten cords & unwind if twisted--clean entire phone with "409." The 1st Floor office phone should especially be disinfected following any House event.

garbage: Empty if needed, keep trash liners in bottom of each receptacle.

cobwebs: Check light fixtures, wall/ceiling edges & corners for cobwebs.

chandeliers: Check crystal chandeliers for grime, film or dust. Otherwise, see "Quarterly."

steps & stoops: Check side door to kitchen, and front door porch area for foreign objects that need removal (and inform Manager who will call D.O.A., if needed). If badly needed, sweep area in front of doors inside and out and wipe down front door.

D.R. Chairs: As a general rule, the dining room table will be set for 10 with 2 ½ leaves and centered on the table. In case of function or if needed, move extra dining room chairs to the back hall (after checking with the Manager--if storage time is less than one day), otherwise move chairs to basement. Request House Steward to assist. If ballroom chairs are needed, request Manager to ask D.O.A. Garden Crew to move from D.O.A. storage.

DAILY HOUSEKEEPER II (continued)

WHAT

HOW

Priority #3 Walk-through (cont'd)

- arctic entries:** Check for foreign objects or necessary cleanup. No chairs or other items will be stored in the Conservatory arctic entry at any time.
- bedrooms 3rd fl:** priority is to make beds and empty trash, when convenient, but should be completed in the morning before 10:00am, unless otherwise arranged. Add towels as a priority on a twice-weekly basis: see "Twice weekly." Add sheets as a priority on a weekly basis: see "Weekly."
- furniture:** Use adhesive roller on sofas and chairs, as needed. Fluff Ballroom cushions.
- veranda, 1st fl:** Summer: check furniture, barbecue, plants, and floor. As time permits later, if needed, follow instructions under "Daily Duties Veranda" below.
- fireplaces:** Check fireplaces for use. If used, return to clean after completion of all other priority duties. Then, clean glass, metal netting, clean out ashes, restock wood (from garage), newspaper & matches, and set up for fire according to the Governor's preference.
- laundry:** As a general rule on function days, time should not be spent on laundry, but discuss with Manager, if in doubt. Gather, as needed, First Floor linens and 3rd floor linens (remember to check the cbute). Check for spots, damage. House Steward and Housekeeper II are responsible for laundry from their respective floors, however, ironing should be shared, unless otherwise arranged. House laundry is done most efficiently by putting in a load and noting the time, then going about other duties. After the appropriate time, check the load in the washer, move it to the dryer and place the next load in the washer, and again go about your other duties until the time arrives to check the washer/dryer again. This allows each Housekeeper the time to complete their respective loads at a reasonable pace throughout the day, rather than allowing laundry to pile up.
- Ironing** Any items placed in the Housekeeping area for laundering or ironing are a priority, unless otherwise arranged (i.e. cloth napkins & placemats most likely will not be needed immediately). Ironing will be shared with the House Steward, unless otherwise arranged (i.e. House Steward is given a different priority to assist Chef in kitchen).
- Deep-Clean** After all priorities (as italicized above) have been completed, then return to these areas to deep-clean, as needed. Although this will most likely cause additional trips up and down the stairs, splitting priority duties from the deep-cleaning duties is essentially necessary during special function days. It may also be necessary in order to accommodate the family with school, appointments or work hours.
- Phones** If Manager is unavailable to do so, answer phone, screen calls, and take messages. Manager answers phone calls, but if the phone finishes the second ring, House Steward is the primary back up and will pick up that line at the start of the 3rd ring. When vacuuming or outside of phone range, Housekeeper II will inform Manager and House Steward who will be next backup. The Chef is the last phone backup in everyone's absence.

Housekeeper II

Page 4 of 12

DAILY HOUSEKEEPER II (continued)

WHAT

HOW

Back doorbell Housekeeper II answers the back door. If vacuuming, ask House Steward to cover until finished. House Steward is the backup when Housekeeper II is unavailable.

Front doorbell If Manager and House Steward are unavailable, Housekeeper II is the back up to answer front door. If front doorbell rings, House Steward will watch "Front" intercom line. If it does not light up, Steward will presume that the Manager is unable to respond; answer the intercom, then answer the front door.

Tours Prepare 1st Floor for each tour approx. ½ hour in advance (straighten, as needed and turn on lights, including Library cabinet lighting). Manager, House Steward and Housekeeper II will share the duty of conducting tours. Other staff might be called upon to give brief walk-through tour. After tour guests depart, turn off all lights turned on prior to the tour. Return all furnishings (including podium) to original position. Cookies and GH napkins will be given to school tour groups (up through high school seniors) as they depart through the door.

Official guests (overnight) If *official* overnight guests: before arrival, turn on refrigerators & test hot water taps, set up flowers, fruit/snack tray, coffee, if approved by Manager, and check 3rd Floor bathroom fans. Daily during official guests' stay: check towels, make beds, take out trash, restock refrigerators if needed. Follow 3rd Fl. "Official Guest Checklist." (Relatives and personal guests are personally provided for by the First Family.) After guests depart: wash all used linens and thoroughly clean all used rooms.

Lunch/dinner For First Family during the normal work week and when official guests are at the House (8 or under), set and clear table (also Library and Bar, if needed), and act as server. (The Chef will serve dinner when only the Governor and First Spouse are present. Housekeepers will prepare bread baskets, plates of butter, coffee/tea, cream/sugar, assist Chef in kitchen and assist with dishes during meal, as needed. After guests leave, Housekeepers will share clearing table and washing dishes (with the Chef), as well as any other assistance in the kitchen needed. The kitchen must be finished prior to moving to clean other areas. If overtime is in effect, the dining areas will be cleared, but no cleaning will take place.

For lunches and dinners (over 8 persons), coordinate with Manager and House Steward to share Dining Room table setup, Library beverage setup (possibly to include cloth napkins and appetizers); set up wet bar, if needed; make coffee/tea, etc.. The specific time that Housekeepers will take their lunch hour will also be coordinated at this time. Housekeepers will serve and will clarify each step of serving or clearing with each other immediately prior to going into action.

*As the Primary Server, Housekeeper II is responsible for paying strict attention to keeping guests' water glasses filled and coffee reheated with fresh coffee throughout the

Housekeeper II

Page 5 of 12

DAILY HOUSEKEEPER II (continued)

<u>WHAT</u>	<u>HOW</u>
Lunch/dinner (cont'd)	meal. Housekeeper I should assist with refills, as needed. After [redacted] leave, [redacted]
Butler's Pantry	Check and straighten drawers, cabinets and keep organized, put items left on counter away, check candlesticks, salt & peppers, etc. for cleaning, refilling, and storage.
Special Events	Before each function, discuss set-up and serving plans with House Steward and Manager. For larger events, Housekeeper II will usually setup place settings and [redacted] [redacted] set up tables, chairs, and bar, if needed; wash dishes, pots, and pans. Serve meals when needed. (Dishes: all crystal glasses, including stemware, must be placed in the special dishwasher racks, individually slotted for glasses. All china can be washed in dishwasher, except the white with red border, all-blue glass dishes if any, and any of the 16 large gold rim blue & ivory plates (which are displayed on the Dining Room plate ledge. Silverware only can be placed in dishwasher, <u>all</u> other silver must be hand washed. Sharp knives must not be placed in sinks and must be hand washed.)
Uniform	Housekeepers wear a black smock, black flats, and either loose-fitting black slacks or black skirt (no shorter than knee-length) provided by the State of Alaska (& approved substitutions). Nylons with skirts and slacks or black socks with slacks should be worn.
veranda	(May) See Yearly Duties. (Summer Daily) Staff will place cushions on furniture when needed for special functions or a limited number of cushions during nice weather according to the First Lady's preference; wipe down cushions and furniture with "409" in a bucket of hot water; use "Cinch" or "Windex" to clean off tables; as needed, wipe down barbecue and replace cover. If time permits, use hose to water tubs of plants and wash off veranda, otherwise, inform Manager (to call D.O.A. Garden Crew) when plants need watering. In late afternoon, unless requested otherwise by First Spouse, store cushions in the veranda white plastic boxes and the chaise lounge cushions in the back corner of the front entry closet. (September) See Yearly Duties
End of Day	Turn off all unnecessary lighting in 1 st Floor public areas of the House, including Entryway and Reception Room. If a hectic day in kitchen, at approximately 4:25 p.m., may assist Chef in kitchen with dishes, sweeping, mopping, emptying of trash, as needed, if Chef otherwise will not be able to leave by 5:00 p.m. Insure that basement doors from garage and maintenance area to interior of House are locked, window in Housekeeping is closed, and lights in Housekeeping are turned off.

DAILY HOUSEKEEPER II (continued)

<u>WHAT</u>	<u>HOW</u>
-------------	------------

Kitchen	
---------	--

TWICE-WEEKLY DUTIES- - - 1st & 3rd Floor -- HOUSEKEEPER II

<u>WHAT</u>	<u>HOW</u>
-------------	------------

bedrooms	Tuesday & Friday (or twice per week depending on House schedule) change and launder towels. (Otherwise, straighten daily.)
----------	--

WEEKLY DUTIES- - - 1st & 3rd Floor -- HOUSEKEEPER II

<u>WHAT</u>	<u>HOW</u>
-------------	------------

Bedrooms & Baths 3 rd Floor:	Wednesday (or once per week, depending on House schedule) change and launder sheets, and make all beds, in use; thoroughly clean all bedrooms, including dusting and vacuuming; clean and disinfect all bathrooms. 1 st & 3 rd floor laundry should be dropped down the laundry chute to be laundered in the basement. 2 nd floor washer and dryer is for the First Family's use only. Run all bathroom glasses through dishwasher. 3 rd Floor vanities use 40 watt light bulbs. Ceilings use 60 watt light bulbs.
---	--


wind clocks	1 st day of the week: wind Reception mantel & grandfather clock to correct time.
-------------	---

1 st Floor Mgr's Office	Straighten, dust, and clean equipment with ammonia-free cleaner), disinfect telephone and bathroom (change towels and check paper). Empty trash (should be checked daily) and vacuum, if needed. Check with Manager prior to doing so, since it might be necessary to carefully pick up stacks of paper and replace them in same fashion in order to clean desk and equipment.
---------------------------------------	--

WEEKLY-HOUSEKEEPER (continued)

<u>WHAT</u>	<u>HOW</u>
-------------	------------

Cleaning and Maintenance	During the week, note items on a list that need attention. Meet with the Manager and House Steward to prioritize and set a schedule for completing those items. Pay
-----------------------------	---

Notes	special attention to items not cleaned weekly, such as brass on window fixtures, to be sure they are cleaned more often, if needed.
3rd floor	<ul style="list-style-type: none"> * dust all surfaces, picture frames, lamps, furniture, plants, moldings, window ledges, wall ledges and edging. * polish mirrors and all chrome/metal surfaces. * if no guests, clean toilets on 3rd floor, including walls surrounding toilets. * if guests, thoroughly clean bathrooms. * clean glass top tables with Windex. * vacuum
Back staircase	Dust railings and areas between rails with damp Murphy's Soap cloth. Vacuum back 1 st floor hallway and steps all the way to the top of the 3 rd floor staircase.
Doors	Wipe down front and side doors inside and out with "409"--especially where people put their hands; outside doors: check and clean--door jambs, too.
Veranda (1st Floor)	During winter, check for any special needs--sweep with big broom, if needed. If veranda needs cleaning (with tan rubber-type cover, power wash might damage, so soapy water and brushes might be substituted), inform Manager who will call D.O.A.
Marble	Clean and polish marble surfaces with marble polish, Pledge or use damp cloth.
Shopping	 errands will be required (which
Secretary in Conservatory	Check, organize, replace pen, and clean inside area and phone "with disinfectant" periodically. Unopened red wine kept in the bottom area or in basement wine closet; open red to kitchen; white either to wine closet or wine refrigerator.
Vacuum Cleaners	Empty bags and clean out front roller to free from hair, dust and other items that clog the machine and prevent it from working efficiently.

MONTHLY DUTIES- - 1st & 3rd Floor

HOUSEKEEPER II

<u>WHAT</u>	<u>HOW</u>
Brass	Polish with "Nev-R-Dull:" Fireplace tools Candle holders Brass planters Chandeliers (or Copper Brite) Furniture handles & hinges All door plates, knobs, hinges Bathrooms: (brass in sinks, tubs, rails) Conservatory: hinges sink, edging Pen Holder on any Guest Bedroom Desks Polish with "Copper Brite:" Samovar (or Nev-R-Dull) Brass trash cans Wheels on coffee cart Brass Lamps Window locks
Painted areas	Submit paint touch-up needs list made during daily cleaning to Manager to call D.O.A. if touch-ups have not been completed. Remove paint from where it doesn't belong.
Porches/doors	Clean out inside porch off Conservatory. Clean front door, back doors on the outside with "409;" sweep outside doors, if needed badly, or ask Manager to call D.O.A.
Silver cabinet	In coordination with House Steward, polish contents of silver cabinet using "silver polishing gloves" as needed; and "silver polish cream" for major polishing; dust interior.
Silverware	In coordination with House Steward, polish using "silver polish cream," straighten and wash out drawers. (inventory in June). Check salt & pepper shakers, polish & refill.
Verandas/ doors	Check 3rd floor verandas for leaves--clean to prevent clogs and overflow. Clean both sides of doors. Straighten black mats, if needed. If mats are badly blown or missing, inform Manager who will contact D.O.A.
Refrigerators	Check and defrost/clean small refrigerators on 3rd floor, if needed.
Windows	Using "Windex" or "Cinch," clean inside windows rotating room by room throughout the year (DOA does exteriors when they do storm windows).
Tile floors & Walls	If grout needs recoating, ask Manager to call D.O.A. to apply "White Tile Guard," when necessary. Then let stand 24 hours before wiping off. ("White Tile Guard" is made by Tile Care Product, Inc., Hamel, MN)

QUARTERLY DUTIES- - - 1st & 3rd Floor

HOUSEKEEPER II

<u>WHAT</u>	<u>HOW</u>
Cabinets	Clean inside cabinets using "Murphy's Soap." 1st & 3rd Floor.
Caulk	Check caulking in all areas in 1 st and 3 rd Floor bathrooms, and request Manager to call D.O.A. to caulk, as needed.
Chandeliers/ Light fixtures	Clean and polish Dining Room, Conservatory, Library, Ballroom, Reception Hall, 1 st Floor Office and any other fixtures on the 1 st and 3 rd Floors using "Sparkle Plenty" on the crystals (or Windex wipes) and "Nev-R-Dull" on the brass. Crystals must be reexamined to be sure no film or spots remain.
Closets	Check closets, clean out and keep organized (according to First Spouse's preferences): 3rd floor bedrooms, linen closets, supply closets and cedar closet; and 1 st Floor closets.
Drawers	Clean out, straighten & wash with "Murphy's Soap."
Exterminator	If pests appear, inform Manager who will contact D.O.A./Pied Piper.
Furniture	Spot clean w/upholstery cleaner brush upholstery lightly, vacuum thoroughly. If silk-like fabric, try Shout wipe, rather than spray or large amount of liquid.
Carpets	Coordinate with Manager, when needed, to call Chem Dry to shampoo back stairs between basement-1st, 1st-2nd and 2nd-3rd floors; and basement, and 3rd Floor carpets.
Hardwood	Move furniture, damp mop floors using "Murphy's Soap." Rotate small rugs. Do not use Murphy's spray on floors. Either mop or rag may be used, but it is essential that the dirty bucket of water is changed periodically to allow for a clean floor upon completion.
Hinges	As needed, clean paint & dirt off hinges, and polish.
Tile counters	Clean tile in bathrooms using "409" or an "Orange Clean," caulk & seal with "Tub & Tile Sealant," as needed.
Conservatory	Check, organize and clean periodically. Restock, as needed. (Sodas and juices to be stored only in beverage refrigerator and basement storeroom.) Red wine to be kept only in Conservatory secretary (bottom door) and white wine to be kept only in the wine refrigerator in Dishwasher Room (or either may be stored in the appropriate basement wine closet).

SEMIANNUAL DUTIES -- 1st & 3rd Floor

HOUSEKEEPER II

WHAT

HOW

Kitchen

Chef deep cleans all surface areas (range, shelves, stove, grill, counter tops); cabinets, drawers, floors, wood trim, windows, sills, and walls. Windows & curtains are maintained by Housekeepers.

ANNUAL DUTIES -- 1st & 3rd Floor

HOUSEKEEPER II

WHAT

HOW

Veranda 1st Floor

(May) Discuss annual deck cleaning with Manager who will call D.O.A. Garden Crew to set out wrought iron furniture and white plastic storage boxes; and to hang the privacy screen on the inside of the veranda railings (approx. May 15).
(September) Request Manager to call D.O.A. to remove and store the furniture and the privacy screen. Then clean and store "DRY" cushions in large green plastic bags (from D.O.A. and give to D.O.A. for storage).

Butler's Pantry

(June) With House Steward, wash contents, wipe out interior of cabinets with "Murphy's Soap," inventory (copy Inventory sheets stored in Manager's closet in black binder).

Drapes

Vacuum drapes and curtains; wash every two years, but ONLY after discussion with Manager. Send draperies to cleaner after discussion with Manager only.

Linens

With House Steward, inventory, and assess linens for repairs/replacement. Send bedspreads to the cleaners; sort and label all sheets and store on appropriate floor where they are used. Post on list in the two laundry rooms, and 3rd floor supply closet.

Spring Cleaning

Drapes, carpets, radiators, rotate carpets (DOA assists with rotating carpets & will bleed radiators when helping to move them for cleaning).

Storm Windows

D.O.A. installs (approx. Sept. 30) **according to storm window inventory list**. After they are finished, check window ledges for spot cleaning where they worked inside. DOA removes approx. May 1st. Also, see "window washing."

Tile walls

Clean all tile walls using "409" or "Orange Clean."

Housekeeper II

Page 11 of 12

ANNUAL DUTIES - - HOUSEKEEPER II (continued)

<u>WHAT</u>	<u>HOW</u>
Walls	Use "Murphy's Soap" in bucket and/or "409" to wipe down wallpaper and wash glossy walls. Inspect wallpaper carefully for gouges, tears, separations. Re-glue to wall, as repair needs are located. All Library cabinets & wood can be cleaned/polished with Pledge. NOTE: Be sure to use cloth gloves to move 1/2 shelf of museum artifacts at a time, clean that 1/2 shelf with Pledge and return those items to original location on that 1/2 shelf before going to the other portions of the shelves.
Cedar Closet/3rd	Wash window, floor & curtains (when Family is gone) after scheduling with Manager.
Linen Closet/3rd	Keep supplies stocked, clean and organized.
Furniture	Check for scratches and use the "Scratch Remover Stick" (or product that produces the same results) to help cover. Polish all furniture, let it dry for the appropriate amount of time, then wipe off well.
Christmas	(September-December) Assist in kitchen with Christmas Open House food preparation, as needed. Coordinate with Manager to assist with decorating and dismantling of decorations during the Holidays. Before storing boxes, each staff person will reconfirm that each box is properly labeled as to where it was used in the decoration scheme.

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Friday, February 08, 2008 9:28 AM
To: Spencer, Kari L (GOV)
Subject: FW: Anchorage Neighborhood Housing Services, Inc.

From: NeighborWorks Grants Announcement [mailto:NWGrantsAnnouncement@nw.org]
Sent: Friday, February 08, 2008 6:51 AM
Subject: Anchorage Neighborhood Housing Services, Inc.

Anchorage Neighborhood Housing Services, Inc., a member of the national NeighborWorks® network, is receiving \$200,000 in flexible first round grant funds from NeighborWorks® America – providing a much-needed boost in support of their affordable housing and community development activities. Overall, NeighborWorks® organizations in Alaska will receive \$445,000 in NeighborWorks® America grants this year. Working together, NeighborWorks® America and NeighborWorks® organizations throughout Alaska will be responsible for leveraging \$16.4 million reinvested in the community to create more economic development and affordable housing opportunities for Alaska citizens.

In FY 2008, NeighborWorks® America (also known as the Neighborhood Reinvestment Corporation) will provide more than \$76 million in grants to its national network of more than 230 community-based nonprofit organizations to create homeownership for lower-income families, produce and manage affordable, high-quality rental properties, stem the tide of foreclosures that threaten neighborhoods and local economies, and revitalize and strengthen communities. Additionally, NeighborWorks® America will provide more than \$167 million in National Foreclosure Mitigation Counseling Program grants to HUD-approved housing counseling intermediaries and state housing finance agencies through a special appropriation of funds provided through the FY 2008 Consolidated Appropriations Act.

"For every one dollar of NeighborWorks® grants, we help leverage \$37 in investment for America's communities, resulting in a direct investment of nearly \$4 billion in distressed communities in fiscal year 2007, primarily from the private sector. As stewards of taxpayer dollars, NeighborWorks® ensures our investments are working in ways that truly make a difference," said NeighborWorks® America CEO Ken Wade. "We thank Congress and our other private, philanthropic and public funders who make our work to expand affordable housing opportunities, strengthen communities and stem foreclosures possible. Although no one organization or sector can resolve the foreclosure problem alone, NeighborWorks® America is making a significant contribution to this effort."

Established by Congress in 1978 as the Neighborhood Reinvestment Corporation, NeighborWorks® America is the original community/public/private partnership model, with locally-driven, efficient community development and leverage of the public investment as its hallmarks. Over the past 30 years, NeighborWorks® America and the NeighborWorks® System have consistently replicated this successful model in over 4,450 communities in all 50 states, the District of Columbia and Puerto Rico; in America's urban, suburban and rural communities.

10/29/2009

NeighborWorks® organizations receive grants and programmatic support from NeighborWorks® America, as well as training scholarships to the NeighborWorks® Training Institute.

Over the past five years the NeighborWorks® network has been able to:

- Invest nearly \$15 billion in America's urban, rural, and suburban communities;
- Provide homeownership counseling to more than 400,000 families;
- Assist more than 80,000 American families of modest means achieve their dream of home ownership;
- Develop, own and manage over 70,000 units of affordable, high quality multifamily housing;
- Rehabilitate more than 80,000 homes, using state-of-the-art methods, including green and healthy building techniques;
- Create the nation's largest force of certified homeownership education and foreclosure intervention counselors;
- Invest in rebuilding efforts in hurricane-affected communities across the Gulf Coast; and
- Mobilize hundreds of thousands of volunteers to revitalize communities.

For questions about NeighborWorks® America or these grants awards, please reply to this e-mail or call (202) 220-2443.

10/29/2009

PRA_GSP01_0011663

Unknown

From: Governor Sarah Palin (GOV sponsored) [governor@alaska.gov]
Sent: Friday, February 08, 2008 9:47 AM
To: Smith; Lynne M (GOV)
Subject: FW: New Date: IT Infrastructure Lines of Business Workshop

From: IT Infrastructure LOB Workshop - March 10 New Date [mailto:training@potomacforum-IT-LOB.org]
Sent: Friday, February 08, 2008 7:44 AM
To: Governor Sarah Palin (GOV sponsored)
Subject: New Date: IT Infrastructure Lines of Business Workshop

Please forward to your Associates: CIO, CFO, Sudget, Program Managers, Staff, and all Interested in the OMB Lines of Business Initiatives-

**Information Technology Infrastructure (ITI)
Line of Business (LOB) Initiative Workshop-**
*Understanding the Impact on Your Agency
What you Need to Know and How to Position Your Transition for Success*

**NEW DATE: Merch 10, 2008
City Club of Washington et Columble Squere
Weshington, D.C.**

This one-day Workahop will provide participants with the foundation that is needed to transition their agencies to succeaafully achiava tha vialon of the Information Technology Infrastructure (ITI) Line of Business (LOB).

Most agencies will be impacted by the ITI LOB Initiative

Letest OMB Guidance on Budget Preparation Conaldering IT Infrastructure LOB

Whet You Will Learn:

- Understand the concept behind OMB's Information Technology Infrastructure (ITI) Lines of Business (LOB) initiative end the current status of the initiative
- Know how to assess your organization to determine where your cost or level of service differs from industry best-of-breed IT organizations
- Know how to formulate your agencies response to achieve the cost and service level goals of the ITI LOB
- Understand what steps are required to transition your organization to a best-of-breed orgenization
- Learn tools end tips for ensuring your agency is continually

10/29/2009

PRA_GSP01_0011664

achieving best-of-breed status

New OMB Budget Preparation Guidance Discussed

Registration and Information:

www.potomacforum.org

Call: (703) 863-1613

Sponsored by:

Potomac Forum, Ltd.

a non-profit educational organization founded in 1982

This email was sent to: governor@gov.state.ak.us

We hope that you will want to continue receiving information about Potomac Forum, Ltd. training, professional development and other events of interest to the government and industry partners. We safeguard our lists and do not rent, sell, or permit the use of our lists by others, at any time, for any reason.

If you wish to be electronically taken off this mail list of training opportunities, please go [here](#) or [modify](#) your email information.



Potomac Forum, Ltd.

This email was sent by: **Potomac Forum, Ltd.**
10137 Colebrook Ave , Potomac , Maryland, 20854 , USA

10/29/2009

PRA_GSP01_0011665

Byers, Gail Y (LAW)

From: Colberg, Talis J (LAW) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=TJCOLBERG]
Sent: Monday, February 11, 2008 8:42 AM
To: 'gov.sarah@yahoo.com'
Subject: FW: D.C. v. Heller, No. 07-290—Brief of Texas and 30 other States in Support of Respondent

Dear Governor Palin,

Attached is a copy of the amicus brief filed by Texas today. In the attachment you can see that in addition to Alaska twenty-nine other states joined Texas. Talis

-----Original Message-----

From: Sean Jordan [mailto:Sean.Jordan@oag.state.tx.us]

Sent: Monday, February 11, 2008 8:03 AM

To: brian.kane@ag.idaho.gov; Tad.Thomas@ag.ky.gov; BMizer@ag.state.oh.us; AGESMITH@ag.state.sc.us; James.Layton@ago.mo.gov; kirk.brown@ago.ne.gov; JAFarshee@ago.state.al.us; CMARI@ago.state.ms.us; Grace, Joanne M (LAW); David.Raupp@arkansasag.gov; Tom.Fisher@atg.in.gov; Sarah@ATG.WA.GOV; John G. Knorr; Pam.Murphy@doj.nh.gov; MAAGJ@ksag.org; drobinson@law.ga.gov; Thomas Casey; ctweeten@mt.gov; Scott.Makar@myfloridalegal.com; RRUSSELL@nmag.gov; Lori.Sheltman@oag.ok.gov; WThro@oag.state.va.us; daniel.domenico@state.co.us; John.Garry@state.mn.us; dbahr@state.nd.us; Darlene.Hallen@state.sd.us; CCARLS@state.wy.us; AnninaMitchell@utah.gov; Jeanne.Young@wvago.gov

Cc: Ted Cruz

Subject: D.C. v. Heller, No. 07-290---Brief of Texas and 30 other States in Support of Respondent

Attached is an e-copy of the State of Texas and 30 other States' Brief in Support of Respondent, which is being filed in the Supreme Court today in District of Columbia v. Heller, Cause No. 07-290. A hard copy of the brief will be sent to you shortly.

We are very glad to have such a strong coalition of States joining this brief. You have our thanks for your timely consideration of the brief,

and our appreciation for joining in this important effort.

Sean D. Jordan

Deputy Solicitor General

Office of the Attorney General of Texas

P.O. Box 12548

Austin, Texas

78711-2548

phone (512) 936-1823

fax (512) 474-2697

sean.jordan@oag.state.tx.us

No. 07-290

**In the
Supreme Court of the United States**

DISTRICT OF COLUMBIA AND
ADRIAN M. FENTY, MAYOR OF THE DISTRICT OF COLUMBIA,
Petitioners,

v.

DICK ANTHONY HELLER,

Respondent.

On Writ of Certiorari to the
United States Court of Appeals for the
District of Columbia Circuit

BRIEF OF THE STATES OF TEXAS, ALABAMA, ALASKA,
ARKANSAS, COLORADO, FLORIDA, GEORGIA, IDAHO,
INDIANA, KANSAS, KENTUCKY, LOUISIANA, MICHIGAN,
MINNESOTA, MISSISSIPPI, MISSOURI, MONTANA, NEBRASKA,
NEW HAMPSHIRE, NEW MEXICO, NORTH DAKOTA, OHIO,
OKLAHOMA, PENNSYLVANIA, SOUTH CAROLINA, SOUTH
DAKOTA, UTAH, VIRGINIA, WASHINGTON, WEST VIRGINIA,
AND WYOMING AS *AMICI CURIAE*
IN SUPPORT OF RESPONDENT

GREG ABBOTT
Attorney General of Texas

R. TED CRUZ
Solicitor General
Counsel of Record

KENT C. SULLIVAN
First Assistant Attorney
General

SEAN D. JORDAN
Deputy Solicitor General

DAVID S. MORALES
Deputy Attorney General
for Civil Litigation

MICHAEL P. MURPHY
Assistant Solicitor
General

OFFICE OF THE
ATTORNEY GENERAL
P.O. Box 12548
Austin, Texas 78711-2548
(512) 936-1700

[Additional counsel listed on
inside cover]

COUNSEL FOR *AMICI CURIAE*

Troy King
Alabama Attorney General

Talis J. Colberg
Attorney General of Alaska

Dustin McDaniel
Arkansas Attorney General

John W. Suthers
Colorado Attorney General

Attorney General Bill McCollum
Office of the Attorney General
State of Florida

Thurbert E. Baker
Attorney General of Georgia

Lawrence G. Wasden
Idaho Attorney General

Steve Carter
Attorney General
Office of the Indiana Attorney General

Stephen N. Six
Attorney General
State of Kansas

Jack Conway
Attorney General of Kentucky

James D. "Buddy" Caldwell
Attorney General
State of Louisiana

Michael A. Cox
Michigan Attorney General

Lori Swanson
Attorney General of Minnesota

Jim Hood
Mississippi Attorney General

Jeremiah W. (Jay) Nixon
Attorney General of Missouri

Mike McGrath
Attorney General of Montana

Jon Bruning
Attorney General for the State of Nebraska

Kelly A. Ayotte
Attorney General of New Hampshire

Gary K. King
New Mexico Attorney General

Wayne Stenehjem
Attorney General of North Dakota

Marc Dann
Attorney General
State of Ohio

W.A. Drew Edmondson
Attorney General of Oklahoma

Thomas W. Corbett, Jr.
Attorney General of Pennsylvania

Henry McMaster
South Carolina Attorney General

Lawrence E. Long
Attorney General
State of South Dakota

Mark L. Shurtleff
Utah Attorney General

Robert F. McDonnell
Attorney General of Virginia

Robert M. McKenna
Attorney General of Washington

Darrell V. McGraw, Jr.
West Virginia Attorney General

Bruce A. Salzburg
Wyoming Attorney General

QUESTION PRESENTED

Whether the following provisions—D.C. Code §§7-2502.02(a)(4), 22-4504(a), and 7-2507.02—violate the Second Amendment rights of individuals who are not affiliated with any state-regulated militia, but who wish to keep handguns and other firearms for private use in their homes.

TABLE OF CONTENTS

Question Presented	i
Index of Authorities	v
Interest of Amici	1
Summary of the Argument	2
Argument	5
I. The Court of Appeals Correctly Held That the Second Amendment Guarantees an Individual Right to Keep and Bear Arms	5
A. The Second Amendment's Text Guarantees an Individual Right to Keep and Bear Arms	5
1. The "right of the people" is an individual right	6
2. The District misinterprets the meaning of "keep" and "bear Arms"	9
3. The Second Amendment's introductory clause does not convert an individual right into a "collective" or "quasi- collective" right	11

B.	The Court's Precedent Supports the Principle That the Second Amendment Guarantees an Individual Right	15
C.	The Weight of Scholarly Commentary Also Supports the Conclusion That the Second Amendment Guarantees an Individual Right to Keep and Bear Arms	18
D.	The Second Amendment's History Demonstrates That It Guarantees an Individual Right to Arms	21
II.	The Court of Appeals Correctly Held That the District of Columbia's Firearms Regulations Are Unconstitutional	24
A.	The Court of Appeals's Decision Should Be Affirmed Because Statutes Effectively Prohibiting Any Citizen From Keeping and Bearing "Arms" Are Unconstitutional	26
1.	The D.C. Code provisions concern "Arms" protected under the Second Amendment	26
2.	The court of appeals correctly concluded that the District's statutes are unconstitutional . . .	28

B.	The Court of Appeals's Decision Should Be Affirmed Because the District's Firearms Prohibitions Also Cannot Withstand Scrutiny Under the Standard of Review Recommended by the United States	30
C.	The Unreasonableness of the District's Statutory Scheme Is Further Evidenced by the Fact That It Runs Counter to the Regulatory Approach of All Fifty States	33
III.	None of the Federal Firearms Regulations Discussed in the United States's Brief Is Jeopardized by the Court of Appeals's Decision	34
	Conclusion	36

INDEX OF AUTHORITIES

Cases

<i>Benton v. Maryland</i> , 395 U.S. 784 (1969)	23
<i>Burdick v. Takushi</i> , 504 U.S. 428 (1992)	31, 32
<i>Dist. of Columbia v. Heller</i> , 128 S.Ct. 645 (2007) (mem.)	24
<i>District of Columbia v. John R. Thompson Co.</i> , 346 U.S. 100 (1953)	23
<i>Duncan v. Louisiana</i> , 391 U.S. 145 (1968)	23
<i>Eldred v. Ashcroft</i> , 537 U.S. 186 (2003)	12-13
<i>Icicle Seafoods, Inc. v. Worthington</i> , 475 U.S. 709 (1986)	30
<i>Johnson v. Eisentrager</i> , 339 U.S. 763 (1950)	16, 17
<i>Konigsberg v. State Bar of Cal.</i> , 366 U.S. 36 (1961)	17
<i>Loving v. United States</i> , 517 U.S. 748 (1996)	21

<i>McCleskey v. Zant</i> , 499 U.S. 467 (1991)	30
<i>McIntyre v. Ohio Elections Comm'n</i> , 514 U.S. 334 (1995)	31, 32
<i>Minnesota v. Carter</i> , 525 U.S. 83 (1998)	7
<i>Moore v. City of East Cleveland</i> , 431 U.S. 494 (1977) (plurality op.)	17
<i>Muscarello v. United States</i> , 524 U.S. 125 (1998)	11
<i>Palko v. Connecticut</i> , 302 U.S. 319 (1937)	23
<i>Planned Parenthood of Se. Pa. v. Casey</i> , 505 U.S. 833 (1992)	17, 30
<i>Pollock v. Farmers' Loan & Trust Co.</i> , 158 U.S. 601 (1895)	5
<i>Presser v. Illinois</i> , 116 U.S. 252 (1886)	23
<i>Printz v. United States</i> , 521 U.S. 898 (1997)	18
<i>Randall v. Sorrell</i> , 548 U.S. 230 (2006) (plurality op.)	24

<i>Richfield Oil Corp. v. State Bd. of Equalization</i> , 329 U.S. 69 (1946)	9
<i>Robertson v. Baldwin</i> , 165 U.S. 275 (1897)	17
<i>Silveira v. Lockyer</i> , 328 F.3d 567 (9th Cir. 2003)	11, 14
<i>State v. Kerner</i> , 107 S.E. 222 (N.C. 1921)	29
<i>Thornhill v. Alabama</i> , 310 U.S. 88 (1940)	7
<i>Timmons v. Twin Cities Area New Party</i> , 520 U.S. 351 (1997)	31, 32
<i>United States v. Cruikshank</i> , 92 U.S. 542 (1875)	23
<i>United States v. Emerson</i> , 270 F.3d 203 (5th Cir. 2001)	6, 19, 35
<i>United States v. Miller</i> , 307 U.S. 174 (1939)	3, 15, 16, 27
<i>United States v. Verdugo-Urquidez</i> , 494 U.S. 259 (1990)	6-7
<i>Ward v. Rock Against Racism</i> , 491 U.S. 781 (1989)	28, 29, 33

<i>Williams v. Rhodes</i> , 393 U.S. 23 (1968)	25
---	----

Statutes, Rules, and Constitutional Provisions

U.S. CONST. amend. I	6, 7
U.S. CONST. amend. II	5
U.S. CONST. amend. IV	8
U.S. CONST. art. I, §2, cl. 1	6
U.S. CONST. art. I, §8, cl. 8	12
U.S. CONST. art. I, §8, cl. 12	13-14
18 U.S.C. §922(g)	35
18 U.S.C. §922(g)(8)	35
18 U.S.C. §922(o)	34
18 U.S.C. §922(p)	34
D.C. CODE §7-2502.02(a)(4)	i, 24, 25
D.C. CODE §7-2507.02	i, 24, 25, 29
D.C. CODE §7-2507.06	24

D.C. CODE §22-4504	25
D.C. CODE §22-4504(a)	i, 24
D.C. CODE §22-4515	24

Other Authorities

Akhil R. Amar, <i>The Bill of Rights and the Fourteenth Amendment</i> , 101 YALE L.J. 1193 (1992)	18, 19
DEBATE ON THE CONSTITUTION 561 (Bernard Bailyn ed., 1993)	13
Eugene Volokh, <i>The Commonplace Second Amendment</i> , 73 N.Y.U. L. REV. 793 (1998)	12, 13, 21
Gary Kleck & Marc Gertz, <i>Armed Resistance to Crime: The Prevalence and Nature of Self-Defense with a Gun</i> , 86 J. CRIM. L. & CRIMINOLOGY 150 (1995)	29
J. ELLIOTT, DEBATES IN THE GENERAL STATE CONVENTIONS 425 (3d ed. 1937)	13

JOHN STUART MILL, UTILITARIANISM 80 (Longman, Green, Longman, Roberts, and Green 1864) (1861)	9
JOSEPH STORY, COMMENTARIES ON THE CONSTITUTION OF THE UNITED STATES 708-09 (Carolina Academic Press 1987) (1833)	20-21
JOYCE L. MALCOLM, TO KEEP AND BEAR ARMS: THE ORIGINS OF AN ANGLO-AMERICAN RIGHT 162 (1994)	18, 19
LAURENCE H. TRIBE, AMERICAN CONSTITUTIONAL LAW, 902 n.221 (3d ed. 2000)	18
Militia Act, ch. XXXIII, 1 Stat. 271 (1792)	14
Nelson Lund, <i>The Past and Future of the Individual's Right to Arms</i> , 31 GA. L. REV. 1 (1996)	21
Nelson Lund, <i>The Second Amendment, Political Liberty, and the Right to Self-Preservation</i> , 39 ALA. L. REV. 103 (1987)	19
RATIFICATIONS AND RESOLUTIONS OF SEVEN STATE CONVENTIONS (1788)	13

SAMUEL JOHNSON, A DICTIONARY OF THE ENGLISH LANGUAGE (4th ed. 1770)	10
Sanford Levinson, <i>The Embarrassing Second Amendment</i> , 99 YALE L.J. 637 (1989)	18, 19
STEPHEN HALBROOK, THAT EVERY MAN BE ARMED, THE EVOLUTION OF A CONSTITUTIONAL RIGHT (1984)	18
THE FEDERALIST NO. 29, (Alexander Hamilton) (Benjamin Wright ed., 1961)	23
THE FEDERALIST NO. 46 (James Madison) (Benjamin Wright ed., 1961) ..	14
THE FOUNDERS CONSTITUTION 210 (Philip B. Kurland & Ralph Lerner eds., 1987) ..	22
THE PAPERS OF THOMAS JEFFERSON, 443-44 (J.P. Boyd ed., 1950)	10
THOMAS M. COOLEY, THE GENERAL PRINCIPLES OF CONSTITUTIONAL LAW IN THE UNITED STATES OF AMERICA 270-72 (Rothman & Co. 1981) (1880)	20
W. & M., 2d sess., c. 2, Dec. 16, 1689	22
WEBSTER'S DICTIONARY (1828)	10

WILLIAM BLACKSTONE, 1 COMMENTARIES 136 (Legal Classics Library 1983) (1765)	22
WILLIAM BLACKSTONE, 1 COMMENTARIES 300 (St. George Tucker ed., Augustus M. Kelley 1969) (1803)	20
William Van Alstyne, <i>The Second Amendment and the Personal Right to Arms</i> , 43 DUKE L. J. 1236 (1994) ...	18, 23

INTEREST OF *AMICI CURIAE*

Amici, the State of Texas and 30 other States, have an interest in this case because of its potential impact on their citizens' constitutional rights. The individual right to keep and bear arms is protected by the United States Constitution and the constitutions of forty-four States.¹ Given the significance of this fundamental right, the States have a substantial interest in ensuring that the Second Amendment is accorded its proper scope.

The *amici* States believe that the court of appeals's decision—that the Second Amendment protects an individual right to keep and bear arms—is correct and fully consistent with the Framers' intent. Moreover, the District of Columbia's categorical gun ban is markedly out of step with the judgment of the legislatures of the fifty States, all of which protect the right of private citizens to own handguns.

1. *Amici* States have attached an Appendix outlining the relevant state constitutional and statutory provisions concerning firearms.

SUMMARY OF THE ARGUMENT

Described by Justice Joseph Story as "the palladium of the liberties of the republic," the right to keep and bear arms enjoys prominent placement at the outset of the Bill of Rights. Yet the central issue in this case is whether that constitutional provision retains any vitality whatsoever.

The District of Columbia's position, as the court of appeals explained, is that "the Second Amendment is a dead letter." Pet. App. 13a. That ahistorical contention—supported by modern-day advocates who disagree with the policy judgments embodied in that Amendment—runs contrary to both the text and the original understanding of our Constitution.

Because the Second Amendment's text recognizes a "right," not a "power," and guarantees that right to "the people" and not "the States," it necessarily secures an individual right to keep and bear arms. The First, Fourth, and Ninth Amendments likewise protect the "rights" of "the people," and none dispute that those Amendments protect individual rights. The Tenth Amendment, in turn, expressly distinguishes between "the States" and "the people," demonstrating that the Framers knew well the difference. And, this Court has made clear, "the people" is a term of art, with the same meaning throughout the Bill of Rights.

The District's contrary position is based largely upon a misconstruction of the Amendment's prefatory clause. Although the preamble states that keeping a well-regulated militia is one purpose of the right, nothing in that statement contradicts the Amendment's operative

language. The District's interpretation of that prefatory language as limiting the Amendment only to members of organized state militias runs contrary to the understanding—and statutory definition—at the time of the Founding that all able-bodied males armed with their own private weapons comprised the "Militia."

The court of appeals's ruling is also consistent with this Court's decision in *United States v. Miller*, 307 U.S. 174 (1939). That brief and famously opaque opinion can be read to support multiple interpretations, but the better reading is that the right to keep and bear arms is an individual right. Indeed, *Miller* makes sense only if the Court believed that the Second Amendment protects individual rights; otherwise, virtually all of the *Miller* Court's analysis would be rendered superfluous.

That view is further buttressed by an unbroken line of commentary from the Framers to nineteenth-century scholars to the bulk of modern scholarship. Indeed, the unmistakable trend among constitutional scholars—even those who might otherwise disfavor private firearms possession—is toward recognition that the Second Amendment protects an individual right, as its plain text suggests.

Reasonable minds can differ about the Second Amendment's scope—that is, about which government regulations are permissible. And subsequent cases may well present difficult questions about where precisely to draw that line. Those vexing issues are not presented in this case, however, and are appropriately left to another day.

This case instead presents two straightforward questions, each of which will determine whether the Second Amendment has any modern relevance. *First*, as a threshold matter, does the Amendment protect any individual rights at all. And *second*, do the challenged District ordinances—which collectively prohibit the possession of any functioning firearm in one's own home—run afoul of that right.

On more difficult questions involving the Amendment's application—such as registration requirements and comprehensive regulation—the many *amici* States may well part ways. But the two questions in this case are, in the eyes of *amici*, not difficult. If the answer to either question were in the negative, then the Second Amendment's protections would be rendered illusory.

For the same reason, the *amici* States believe that the Department of Justice's position that this case should be vacated and remanded is indefensible. Under any standard, including that advocated by the Department, a total prohibition on the possession of any functioning firearm cannot be sustained. The District's ordinances facially prohibit Mr. Heller from ever possessing a handgun in his own home or from possessing an operable long gun.

An individual right that can be altogether abrogated is no right at all. *Amici* States are sovereign governmental bodies with strong interests in maintaining extant regulations barring, for example, convicted felons from possessing firearms. But none of the 31 *amici* States believes that its citizens' constitutional rights should be effectively erased from the Bill of Rights. Because, under any standard, a total prohibition on the possession of

firearms cannot be reconciled with the individual right to keep and bear arms, the court of appeals's judgment should be affirmed.

ARGUMENT

I. THE COURT OF APPEALS CORRECTLY HELD THAT THE SECOND AMENDMENT GUARANTEES AN INDIVIDUAL RIGHT TO KEEP AND BEAR ARMS.

The court of appeals's holding that the Second Amendment protects an individual right to keep and bear arms, Pet. App. 44a, gives effect to the Amendment's plain text and reflects the structure of the Bill of Rights. It is consistent with the views of the Framers, the great weight of scholarly commentary, and this Court's precedent.

A. The Second Amendment's Text Guarantees an Individual Right to Keep and Bear Arms.

The Second Amendment provides, "[a] well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." U.S. CONST. amend. II. The Court has long emphasized the importance of the Constitution's specific text: "[T]he enlightened patriots who framed our Constitution, and the people who adopted it, must be understood to have employed words in their natural sense, and to have intended what they said." *Pollock v. Farmers' Loan & Trust Co.*, 158 U.S. 601, 618-19 (1895) (internal quotation omitted).

1. The "right of the people" is an individual right.

The Second Amendment's operative words protect the right of "the people," not the "militia" and not the "States," to keep and bear arms. The meaning to be given to the words "the people" as used in the Second Amendment phrase "the right of the people" should be the same meaning attributed to that same phrase in the contemporaneously submitted and ratified First and Fourth Amendments. Pet. App. 18a; *United States v. Emerson*, 270 F.3d 203, 227 (5th Cir. 2001). And all three amendments describe personal, individual rights.

In *United States v. Verdugo-Urquidez*, the Court concluded that the words "the people" bear special significance in the context of the Bill of Rights:

"[T]he people' seems to have been a term of art employed in select parts of the Constitution. . . . The Second Amendment protects 'the right of the people to keep and bear Arms,' and the Ninth and Tenth Amendments provide that certain rights and powers are retained by and reserved to 'the people.' See also U.S. Const. Amdt. 1 . . . ; Art. I, § 2, cl. 1 While this textual exegesis is by no means conclusive, it suggests that 'the people' protected by the Fourth Amendment, and by the First and Second Amendments, and to whom rights and powers are reserved in the Ninth and Tenth Amendments, refers to a class of persons who are part of a national

community or who have otherwise developed sufficient connection with this country to be considered part of that community." 494 U.S. 259, 265 (1990) (emphasis added).

The Court has thus made clear that the "term of art" "the people" has the same meaning in the First, Second, Fourth, Ninth, and Tenth Amendments. And it is beyond peradventure that the right of "the people" in the First and Fourth Amendments is an individual, personal right rather than a "collective" right or a right protected only in connection with service to the government. See, e.g., *Thornhill v. Alabama*, 310 U.S. 88, 95 (1940) ("The freedom of speech . . . which [is] secured by the First Amendment against abridgment by the United States, [is] among the fundamental personal rights and liberties which are secured to all persons by the Fourteenth Amendment against abridgment by a state."); *Minnesota v. Carter*, 525 U.S. 83, 88 (1998) (holding that the Fourth Amendment is a personal right that must be invoked by an individual).

The District's assertion that the Second Amendment's right of "the people" merely ensures a collective right "to prevent Congress, using its powers under the Militia Clauses, from disarming state militias," Petitioners' Br. 35, is fundamentally inconsistent with the rest of the Bill of Rights. If the phrase "the people" is interpreted consistently—as the Court has instructed—the District's construction of the phrase results in an implausible framework for our constitutional rights. For example, the First Amendment preserves "the right of the people peaceably to assemble." U.S. CONST. amend. I. The District's construction implies that no individual could sue in court for an abridgment of his or her right to

assemble because that right is reserved only to "the people" acting collectively. Likewise, the Fourth Amendment preserves "the right of the people" to be secure from unreasonable searches and seizures. U.S. CONST. amend. IV. The District's construction implies that no individual has a right enforceable in court to be free from unreasonable search and seizure, because only "the people" as a collective may enforce such rights. That, of course, is not the law.

Alternatively, if the District's "collective" construction of "the people" is somehow to be cabined only to the Second Amendment, the Court must conclude that when Congress sent the Bill of Rights to the States, Congress first listed four individual rights (in the First Amendment), then created a State's "right" (in the Second Amendment), and then reverted to a litany of individual rights (in Amendments Three through Eight). The Court must further conclude that, while Congress used "the people" to refer to individual rights in the First, Fourth, and Ninth Amendments, Congress used "the people" to mean "state governments" in the Second Amendment. Finally, for the Court to find that Congress used "the people" in the Second Amendment to mean "the States," it would have to somehow reconcile that with the Tenth Amendment's language, where Congress explicitly distinguished "the people" from "the States," reserving powers "to the States respectively, or to the people."

Moreover, the concept of a collective "right" or a State's "right" is contrary to the Constitution's structure and language; in the Hohfeldian taxonomy, States have powers, not rights. Rights are reserved to individuals; as Mill explained, "[t]o have a right . . . is . . . to have something which society ought to defend me in the

possession of." JOHN STUART MILL, UTILITARIANISM 80 (Longman, Green, Longman, Roberts, and Green 1864) (1861).

Put simply, the words "the right of the people" cannot fairly be read to mean a collective power of the Militia. Rather, the Second Amendment's text means what it says: the individual right of the people to keep and bear arms cannot be infringed.

2. The District misinterprets the meaning of "keep" and "bear Arms."

The District's interpretation of the Second Amendment necessarily, and mistakenly, requires that the words "bear Arms" have only a military connotation, and that the words "keep" and "bear" arms in the Second Amendment be construed together as a unitary phrase relating only to maintaining arms for military service. See Petitioners' Br. 12-17. This construction of the Amendment is not supported by its text or history.

The first problem with the District's interpretation of "keep and bear Arms" is that it effectively ignores the word "keep." *Id.* Indeed, the District suggests that "keep" has no independent meaning, and was inserted merely to bolster the militia's ability to bear arms. *Id.*, at 16-17. But courts cannot ignore words or phrases in the Constitution. "In expounding the Constitution of the United States, every word must have its due force, and appropriate meaning; for it is evident from the whole instrument, that no word was unnecessarily used, or needlessly added." *Richfield Oil Corp. v. State Bd. of Equalization*, 329 U.S. 69, 77-78 (1946) (internal quotation marks omitted). And to "keep" arms is to possess or own arms, as is

demonstrated by the contemporary dictionary definition of "keep":

"1. To hold; to retain in one's power or possession; not to lose or part with; as, to keep a house or a farm; to keep any thing in the memory, mind or heart; 2. To have in custody for security or preservation." WEBSTER'S DICTIONARY (1828); *see also* SAMUEL JOHNSON, A DICTIONARY OF THE ENGLISH LANGUAGE (4th ed. 1770).

The Court should give effect, as did the court of appeals, to each word of the Amendment. Pet. App. 27a ("['K]eep' is a straightforward term that implies ownership or possession of a functioning weapon by an individual for private use.").

The District's assertion that "bear Arms" refers only to militia service is likewise misguided. Although this phrase may be used to describe the carrying or wearing of arms by a soldier or member of the militia, it is not used exclusively to refer to the military. Indeed, the Framers understood "bearing" arms to include the carrying of weapons generally—as may be seen directly in a bill drafted by Thomas Jefferson and proposed to the Virginia Legislature by James Madison (the author of the Second Amendment) on October 31, 1785. Madison's bill would have imposed penalties upon one who violated hunting laws if he were to "bear a gun out of his [the violator's] inclosed ground, unless whilst performing military duty." 2 THE PAPERS OF THOMAS JEFFERSON, 443-44 (J.P. Boyd ed., 1950) (emphasis added). In fact, as Judge Kleinfeld noted in his dissenting opinion in *Silveira*, "the primary meaning of 'bear' is 'to carry,' as when we arrive at our

host's home 'bearing gifts' and arrive at the airport 'bearing burdens.'" *Silveira v. Lockyer*, 328 F.3d 567, 572-73 (9th Cir. 2003) (Kleinfeld, J., dissenting) (footnote omitted).

This common-sense view of the phrase "bear Arms" is also reflected in Justice Ginsburg's dissenting opinion, joined by Chief Justice Rehnquist and Justices Scalia and Souter, in *Muscarello v. United States*, 524 U.S. 125, 143 (1998):

"Surely a most familiar meaning [of carrying a firearm] is, as the Constitution's Second Amendment ('keep and *bear* Arms') (emphasis added) and Black's Law Dictionary, at 214, indicate: 'wear, bear, or carry . . . upon the person or in the clothing or in a pocket, for the purpose . . . of being armed and ready for offensive or defensive action in a case of conflict with another person.'"

Nothing in the Second Amendment's text limits the words "bear Arms" to an exclusively military connotation; instead it affords an individual right to "the people" to "wear, bear, or carry" arms, regardless of whether they are engaged in military activity connected with a state militia.

3. The Second Amendment's introductory clause does not convert an individual right into a "collective" or "quasi-collective" right.

The District's "quasi-collective right" position is driven largely by its conclusion that the Second Amendment's operative clause, conferring the right to

"keep and bear Arms," is defined and impliedly narrowed by the Amendment's introductory clause referencing a "well regulated Militia." Petitioners' Br. 12-18. But, although a preamble may inform, influence, or shape the operational clause, it cannot compel a result contrary to its meaning. See Eugene Volokh, *The Commonplace Second Amendment*, 73 N.Y.U. L. REV. 793, 807 (1998). And, in any event, the Second Amendment's preamble is entirely consistent with the individual right mandated by the operational clause.

To be sure, the introductory clause implies that a principal purpose of the right to bear arms is to promote the existence and effectiveness of a "well-regulated Militia." But nothing compels the conclusion that this is the Amendment's only purpose.

With respect to other rights recognized by the Constitution, the Court has already held that similar preambulatory purposes do not limit the effect of the clauses' operational language. For example, in *Eldred v. Ashcroft*, 537 U.S. 186 (2003), the Court addressed a similar proposed construction of the preambulatory language in the Copyright Clause, which reads "[T]he Congress shall have the power . . . [t]o promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." U.S. CONST. art. I, §8, cl. 8. The Court concluded that Congress's power to secure exclusive rights to authors and inventors is not limited by the prefatory purpose to "promote the progress of science and useful arts." 537 U.S., at 210-211. Although promoting science and the arts may have been the Framers' chief purpose in conveying sweeping copyright powers to Congress, other purposes existed as well. *Id.*, at

212. If the Copyright Clause's preamble, *which expressly conditions* its operational language through use of the phrase "by securing," imposes no limitation on the Clause's scope, then neither does the Second Amendment's preamble, which is not so expressly limited. Volokh, *supra*, at 807-13.

And, even if the District were correct that the Second Amendment's prefatory clause defined the scope of the right conferred in the operational clause, the District's further conclusion—that the words "a well-regulated Militia, being necessary to the security of a free State" means the Amendment was adopted for the sole purpose of ensuring the effectiveness of state militias—is erroneous. The Amendment's text and history contradict this narrow reading of "Militia."

The Framers' understanding of "Militia" is reflected in a question asked by George Mason, one of the Virginians who refused to sign the Constitution because of its lack of a Bill of Rights: "Who are the Militia? They consist now of the whole people." 3 J. ELLIOTT, *DEBATES IN THE GENERAL STATE CONVENTIONS* 425 (3d ed. 1937) (statement of George Mason, June 14, 1788). This understanding, contrary to the District's position, see Petitioners' Br. 18, is also reflected in the language of both the Virginia and North Carolina ratifying conventions—which spoke of "a well regulated militia composed of the body of the people." *RATIFICATIONS AND RESOLUTIONS OF SEVEN STATE CONVENTIONS* (1788), reprinted in 2 *DEBATE ON THE CONSTITUTION* 561, 568 (Bernard Bailyn ed., 1993). James Madison articulated the same view of the term "militia" in Federalist No. 46, arguing that Congress's power under the proposed Constitution "[t]o raise and support armies" (art. I, §8, cl.

12) posed no threat to liberty because any such army, if misused, "would be opposed [by] a militia amounting to near half a million of citizens with arms in their hands." *THE FEDERALIST* NO. 46, at 334 (James Madison) (Benjamin Wright ed., 1961).

The District's narrow interpretation of "Militia" to include only some select body of permanent soldiers is also belied by the provisions of the Militia Act, enacted by the Second Congress the year after the Second Amendment's ratification. The Militia Act expressly defined the militia as "each and every free able-bodied white male citizen of the respective states, resident therein, who is or shall be of the age of eighteen years, and under the age of forty-five years." Militia Act, ch. XXXIII, 1 Stat. 271, 271 (1792).² Thus, the "Militia" contemplated by the Framers was not limited to those enrolled in some type of state or local militia organization. Under statute and contemporary understanding, the militia was all able-bodied male citizens from eighteen to forty-five, whether they were organized into a state-sponsored fighting force or not. See *Silveira*, 328 F.3d at 578-80 (Kleinfeld, J., dissenting).

The Framers were understandably wary of standing armies and the powers of a potentially oppressive government. Therefore, the individual right to bear arms ensures a ready "Militia" consisting of each and every able-bodied male between the ages of eighteen to forty-five. The introductory clause, properly understood, confirms the primary benefit of the operational clause—a

2. Indeed, the Militia Act not only permitted gun ownership by every able-bodied man, it *required* it—obliging by law each man to "provide himself with a good musket or firelock . . . or with a good rifle." Militia Act, 1 Stat., at 271 (emphasis added).

citizenry capable of defending its rights by force, when all other means have failed, against any future oppression.

B. The Court's Precedent Supports the Principle That the Second Amendment Guarantees an Individual Right.

The Court's decision in *Miller* buttresses the principle that the Second Amendment's text and history establish its protection of the rights of individuals to keep and bear arms. In *Miller*, the Court considered a Second Amendment challenge as applied to a sawed-off shotgun:

"In the absence of any evidence tending to show that possession or use of a 'shotgun having a barrel of less than eighteen inches in length' at this time has some reasonable relationship to the preservation or efficiency of a well regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument. Certainly it is not within judicial notice that this weapon is any part of the ordinary military equipment or that its use could contribute to the common defense." 307 U.S., at 178.

Miller is less than a model of clarity, but a fair reading of that opinion confirms that the Second Amendment protects individual rights. If the Second Amendment protected only the right to bear arms in a militia, the Court could easily have disposed of the case merely by observing that *Miller* was not a member of any

state militia. Thus, with one sentence, the case could have been resolved.³

Instead, the Court based its ruling on the lack of judicial notice that a short-barreled shotgun, a weapon typically used by gangsters in the 1930s and associated with criminal activity, was the type of weapon that contributed to "the common defense." *Id.* The Court's decision implicitly acknowledged that the possession by individual Americans of weapons that could be part of the "ordinary military equipment" contributing to the common defense—as opposed to criminal activity—is protected by the Second Amendment.

The Court's conclusions in *Miller* also suggest an understanding that the Framers envisioned a militia composed of the entire people—possessed of their individually owned arms—as necessary for the protection of a free State. The Court expressly observed that, in the Framers' time, the militia "comprised all males physically capable of acting in concert for the common defense [O]rdinarily when called for service *these men were expected to appear bearing arms supplied by themselves* and of a kind in common use at the time." *Id.*, at 179 (emphasis added).

Later opinions of the Court also support the individual-right view, albeit in *dicta*. In *Johnson v. Eisentrager*, 339 U.S. 763 (1950), the Court rejected a claim that the Fifth Amendment's criminal-procedure protections applied to nonresident enemy aliens by

3. Indeed, the United States raised the collective rights argument in its brief as its very first argument, Pet. App. 40a, and, notably, the Court declined to rule on that basis.

explaining that a contrary view would, *inter alia*, require the application of "companion civil-rights Amendments" in the Bill of Rights, including the Second Amendment. *Id.*, at 784.

In *Konigsberg v. State Bar of Cal.*, 366 U.S. 36 (1961), the Court, citing *Miller*, again equated the Second Amendment right with rights secured by the First Amendment. *Id.*, at 49 n.10. More recent cases have also assumed an individual right in *dicta* by listing the Second Amendment right among the personal rights composing the "liberty" that the Constitution's due-process provisions protect. See *Planned Parenthood of Se. Pa. v. Casey*, 505 U.S. 833, 847 (1992); *Moore v. City of East Cleveland*, 431 U.S. 494, 502 (1977) (plurality op.).

Likewise, in *Robertson v. Baldwin*, 165 U.S. 275, 281-82 (1897), the Court observed,

"The law is perfectly well settled that the first 10 amendments to the constitution, commonly known as the 'Bill of Rights,' were not intended to lay down any novel principles of government, but simply to embody certain guaranties and immunities which we had inherited from our English ancestors, and which had, from time immemorial, been subject to certain well-recognized exceptions, arising from the necessities of the case. . . . Thus, the freedom of speech and of the press (article 1) does not permit the publication of libels . . . [and] *the right of the people to keep and bear arms (article 2) is not infringed by laws prohibiting the carrying of concealed weapons . . .*" (Emphasis added)

Repeatedly, the Court has described the Second Amendment, consistent with the analysis in *Miller*, as an individual right—like the others in the Bill of Rights and subject to similar restrictions.

C. The Weight of Scholarly Commentary Also Supports the Conclusion That the Second Amendment Guarantees an Individual Right to Keep and Bear Arms.

As Justice Thomas has written, “a growing body of scholarly commentary indicates that the ‘right to keep and bear arms’ is, as the Amendment’s text suggests, a personal right.”⁴ The unmistakable trend among constitutional scholars is towards recognizing that the Second Amendment confers a personal, individual right. For example, although arguing for a narrow construction of the Amendment, Professor Laurence Tribe has squarely concluded that the Second Amendment provides a “right (admittedly of uncertain scope) on the part of individuals to possess and use firearms in the defense of themselves and their homes.” 1 LAURENCE H. TRIBE, *AMERICAN CONSTITUTIONAL LAW* 902 n.221 (3d ed. 2000). Professors

4. *Printz v. United States*, 521 U.S. 898, 938 n.2 (1997) (Thomas, J., concurring) (citing, *inter alia*, JOYCE L. MALCOLM, *TO KEEP AND BEAR ARMS: THE ORIGINS OF AN ANGLO-AMERICAN RIGHT* 162 (1994); STEPHEN HALBROOK, *THAT EVERY MAN BE ARMED, THE EVOLUTION OF A CONSTITUTIONAL RIGHT* (1984); William Van Alstyne, *The Second Amendment and the Personal Right to Arms*, 43 DUKE L. J. 1236 (1994); Akhil R. Amar, *The Bill of Rights and the Fourteenth Amendment*, 101 YALE L.J. 1193 (1992); Sanford Levinson, *The Embarrassing Second Amendment*, 99 YALE L.J. 637 (1989)).

Sanford Levinson and Akhil Amar in large part agree.⁵ Professor Nelson Lund maintains that the Amendment confers an individual right to keep and bear arms, and thereby helps to protect "the most fundamental individual right, the right of self-defense." Nelson Lund, *The Second Amendment, Political Liberty, and the Right to Self-Preservation*, 39 ALA. L. REV. 103, 130 (1987). Professor Joyce Lee Malcolm has found that the Amendment's historical lineage favors the interpretation that it guarantees an individual right to arms. See, generally, MALCOLM, *supra*.

The individual-rights view is now also the position of the United States. See U.S. Br. 10-19; Memorandum from John Ashcroft, Attorney General, to All United States Attorneys (Nov. 9, 2001), available at <http://www.usdoj.gov/osg/briefs/2001/0responses/2001-8780.resp.pdf> (discussing *United States v. Emerson*). Indeed, the Office of Legal Counsel has issued an exhaustive opinion for the Attorney General concluding that "[t]he Second Amendment secures a right of individuals generally, not a right of States or a right restricted to persons serving in militias." STEVEN G. BRADBURY ET AL., U.S. DEP'T OF JUSTICE, MEMORANDUM OPINION FOR THE ATTORNEY GENERAL: WHETHER THE SECOND AMENDMENT SECURES INDIVIDUAL RIGHT 1 (2004), available at <http://www.usdoj.gov/olc/secondamendment2.pdf>.

Contemporaries of the first Congress and nineteenth-century constitutional scholars also agreed that the Second Amendment confers an individual right.

5. See Amar, *supra*; Levinson, *supra*.

When St. George Tucker published his five-volume edition of Blackstone's Commentaries in 1803, he observed that "[w]herever standing armies are kept up, and the right of the people to keep and bear arms is, under any color or pretext whatsoever, prohibited, liberty, if not already annihilated, is on the brink of destruction." WILLIAM BLACKSTONE, 1 COMMENTARIES 300 (St. George Tucker ed., Augustus M. Kelley 1969) (1803). He further pointedly criticized the English Bill of Rights for limiting its guarantee of arms ownership to Protestants, while the American right was "without any qualification as to their condition or degree, as is the case in the British government." *Id.* at 143.

Thomas Cooley directly addressed the issue of the scope of the Amendment's guarantee: "It might be supposed from the phraseology of [the Second Amendment] that the right to keep and bear arms was only guaranteed to the militia; *but this would be an interpretation not warranted by the intent . . .* [T]he meaning of the [amendment] undoubtedly is, that the people, from whom the militia must be taken, shall have the right to keep and bear arms; and they need no permission or regulation of law for the purpose." THOMAS M. COOLEY, THE GENERAL PRINCIPLES OF CONSTITUTIONAL LAW IN THE UNITED STATES OF AMERICA 270-72 (Rothman & Co. 1981) (1880) (emphasis added). Justice Joseph Story similarly concluded that the "right of the citizens to keep, and bear arms has justly been considered, as the palladium of the liberties of the republic; since it offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist, and triumph over them." JOSEPH STORY, COMMENTARIES

ON THE CONSTITUTION OF THE UNITED STATES 708-09
(Carolina Academic Press 1987) (1833).

These contemporary scholars understood that the Second Amendment guaranteed each American the right to "keep" and "bear" arms as the foundation of the militia that would provide security for a "free" State. If the people were disarmed there could be no militia (well-regulated or otherwise) as understood by the Framers.

**D. The Second Amendment's History
Demonstrates That It Guarantees an
Individual Right to Arms.**

The historical context of the Second Amendment also supports the court of appeals's conclusion that it guarantees an individual right to arms. When the Amendment was adopted, the drafters undoubtedly looked to the provisions in many of the state constitutions as models. Volokh, *supra*, at 814-21. At that time, almost half of the States with bills of rights included provisions recognizing that right. Nelson Lund, *The Past and Future of the Individual's Right to Arms*, 31 GA. L. REV. 1, 54 (1996).

The Framers were also guided by the evolution of individual rights in England. As the Court has stated, "[t]he historical necessities and events of the English constitutional experience . . . were familiar to" the Framers and should "inform our understanding of the purpose and meaning of constitutional provisions." *Loving v. United States*, 517 U.S. 748, 766 (1996).

The English Declaration of Rights of 1689 came approximately a century before our own. It provided that "the subjects which are protestants, may have arms for their defence suitable to their conditions, and as allowed

by law." 1 W. & M., 2d sess., c. 2, Dec. 16, 1689 (quoted in 5 THE FOUNDERS CONSTITUTION 210 (Philip B. Kurland & Ralph Lerner eds., 1987)). The right of the English Monarch's "subjects" to have arms is by its terms an individual one, and it was so understood by William Blackstone, who provided the standard reference work for Colonial and early American lawyers.

Blackstone explained that the right of "having" arms is among the five basic rights of every Englishman, which were essential to secure the "primary rights" of each individual. WILLIAM BLACKSTONE, 1 COMMENTARIES 136, 139 (Legal Classics Library 1983) (1765). Blackstone saw the right to bear arms as a natural right because it arose from the natural right of self-preservation and the right of "resistance . . . to the violence of oppression." *Id.*, at 139. Blackstone's conception of the individual right to bear arms as protection against oppression would have been particularly relevant to the Framers, who had themselves just taken part in a bloody struggle against the oppression of the English Crown.

Thus, the Framers' own experience informed their understanding of the "right of the people to keep and bear Arms," and the fundamental relationship of this right to "the security of a free State." The Framers recognized that the best security against an oppressive regime was a free citizenry capable of defending its rights. As Alexander Hamilton explained,

"if circumstances should at any time oblige the government to form an army of any magnitude that army can never be formidable to the liberties of the people while there is a large body of citizens, little, if at

all inferior to them in discipline and the use of arms, who stand ready to defend their own rights and those of their fellow-citizens." THE FEDERALIST No. 29, at 229 (Alexander Hamilton) (Benjamin Wright ed., 1961).

The Second Amendment answered the potential threat of a standing army with the guarantee that individual citizens could not be disarmed. The Framers saw that individual right as an essential bulwark of the people's liberties. This Court should as well, and should affirm the judgment of the court of appeals.⁶

6. Although the Court need not reach the issue of incorporation in this case, amici States submit that the right to keep and bear arms is fundamental and so is properly subject to incorporation. To be sure, early decisions of this Court cast doubt on Second Amendment incorporation, see *United States v. Cruikshank*, 92 U.S. 542, 553 (1875); *Presser v. Illinois*, 116 U.S. 252, 264-65 (1886), but those opinions predated the Court's broad-based incorporation of the Bill of Rights against the States. See *Duncan v. Louisiana*, 391 U.S. 145, 148 (1968). In the judgment of amici States, the right to keep and bear arms is "so rooted in the traditions and conscience of our people as to be ranked as fundamental." *Palko v. Connecticut*, 302 U.S. 319, 325 (1937) (citations and internal quotation marks omitted), overruled on other grounds, *Benton v. Maryland*, 395 U.S. 784 (1969). Authors of the Fourteenth Amendment concurred. See Van Alstyne, *supra* note 4, at 1262 (noting that in reporting the Fourteenth Amendment to the Senate, Senator Howard of Michigan described the right to keep and bear arms as among the Constitution's "great fundamental guarantees" (internal quotation marks omitted)).

A fortiori the Second Amendment applies to the District of Columbia. See *District of Columbia v. John R. Thompson Co.*, 346 U.S. 100, 109 (1953) (finding "no constitutional barrier to the delegation by Congress to the District of Columbia of full legislative power subject of course to constitutional limitations to which all lawmaking is subservient" (emphasis added)). The District's only

II. THE COURT OF APPEALS CORRECTLY HELD THAT THE DISTRICT OF COLUMBIA'S FIREARMS REGULATIONS ARE UNCONSTITUTIONAL.

This case concerns three ordinances that together effectively prohibit the private possession in one's home of any operative firearms. In an attempt to narrow the issues before the Court, the District tried to frame the question presented as concerning only its ordinance banning the private possession of handguns. Pet. i, 7 n.2.

Tellingly, the District urged that "broadening the question to address the effect of Section 7-2507.02 [the trigger-lock provision] would needlessly complicate the case." Pet. Reply 6.

The Court rejected that attempt, and instead reframed the question presented to consider the collective effect of *all three* challenged provisions of the D.C. Code, §§ 7-2502(a)(4), 22-4504(a), and 7-2507.02. *Dist. of Columbia v. Heller*, 128 S.Ct. 645 (2007) (mem.).

Because the District's citizens cannot selectively abide by portions of its firearms prohibitions, but rather must comply with *all* of those prohibitions or face criminal penalties,⁷ evaluating whether these statutes are constitutionally valid necessarily involves consideration of how they act together to restrict the constitutional right to keep and bear arms. Cf. *Randall v. Sorrell*, 548 U.S. 230 (2006) (plurality op.) (concluding that a State's campaign

argument to the contrary—that D.C. is not a State whose militia is the object of the Amendment—is premised on it erroneous theory that the Second Amendment protects only collective, not individual, rights.

7. See D.C. CODE §§ 7-2507.06; 22-4515.

contribution limits, taken together, unconstitutionally restricted a candidate's First Amendment rights); *Williams v. Rhodes*, 393 U.S. 23, 34 (1968) (concluding that "the totality of the Ohio restrictive laws taken as a whole impose[] a burden on voting and associational rights which we hold is an invidious discrimination, in violation of the Equal Protection Clause").

The D.C. Code provisions at issue operate together as a unitary statutory scheme. D.C. Code §7-2502.02(a)(4) prohibits the registration of a pistol not registered in the District prior to 1976. Section 22-4504 separately restricts the carrying of a pistol, and is challenged in this case to the extent it bans individuals from moving lawfully registered handguns within their own homes, Pet. App. 54a. Finally, §7-2507.02 provides in relevant part that a registered firearm must be kept "unloaded and disassembled or bound by a trigger lock or similar device."

Together, these provisions prohibit Mr. Heller from ever possessing, in his home, an operable firearm. In an attempt to temper the absolute nature of that bar, the District now contends that §7-2507.02 must be read to include an implied exception for self defense, even though the text of that provision contains not a word to that effect. Petitioners' Br. 56. Instead, the text is mandatory ("each registrant *shall* keep any firearm in his possession unloaded and disassembled or bound by a trigger lock or similar device") and on its face contains no such exception.⁸

8. Petitioners expressly acknowledge that, absent the *ad hoc* exception that they would like to engraft onto the plain text—"the law would be unreasonable." Petitioners' Br. 56.

In making that argument, Petitioners point to no precedent supporting the notion that an individual must risk criminal prosecution under a statute categorically restricting his or her constitutional rights, in the hope that a court might subsequently alter the text to protect those rights in some limited circumstances. And *amici* States are aware of none.

Thus, the only fair reading of these ordinances' plain text is that together they operate as a sweeping prohibition on any effective exercise of the right to keep and bear arms in the District of Columbia.

A. The Court of Appeals's Decision Should Be Affirmed Because Statutes Effectively Prohibiting Any Citizen From Keeping and Bearing "Arms" Are Unconstitutional.

The court of appeals recognized that the individual right to keep and bear arms is not an absolute right immune from restriction. Pet. App. 51a. Rather, the court noted that the right to keep and bear arms, which pre-existed and was preserved by the Second Amendment, has traditionally been subject to "the sort of reasonable regulations contemplated by the drafters of the Second Amendment." *Id.* The court correctly concluded, however, that because the District's ordinances categorically prohibit the possession of functional firearms in private homes, they are unreasonable and unconstitutional.

1. The D.C. Code provisions concern "Arms" protected under the Second Amendment.

In evaluating the validity of the District's firearms prohibitions, the court of appeals adopted a two-part

test—drawn in part from this Court's opinion in *Miller*—that considered first whether the District's ordinances affected "Arms" protected under the Second Amendment. If the District's regulations affected only weapons that are not "Arms," they could not run afoul of the Amendment's protections. See *id.*, at 48a-51a, 53a-55a. If, on the other hand, the regulations in question did affect "Arms," the court would then move to the second part of the test: whether the regulations are "reasonable." See *id.*, at 51a-55a.

In determining whether the regulations affected "Arms" protected by the Second Amendment, the court of appeals followed the test set forth by this Court in *Miller*, under which a weapon is an "Arm[]" if it: (1) bears a "reasonable relationship to the preservation or efficiency of a well regulated militia;" and (2) is "of the kind in common use at the time." *Id.*, at 48-49a (quoting *Miller*, 307 U.S., at 178-79). The court properly concluded that the handguns and long guns subject to the District's prohibitions meet both prongs of the *Miller* test and are therefore protected under the Amendment. *Id.*, at 51a.

As the court explained, "[t]he modern handgun—and for that matter the rifle and long-barreled shotgun—is undoubtedly quite improved over its colonial-era predecessor, but it is, after all, a lineal descendant of that founding-era weapon, and it passes *Miller*'s standards." *Id.* In this regard, the court noted, just as the First Amendment protects "modern communications devices unknown to the founding generation," the Second Amendment likewise protects the "modern-day equivalents" of colonial-era weapons. *Id.* Thus, while the court's test would properly include weapons such as rifles

and handguns as protected "Arms" under the Amendment, a cannon, for example, would not be a protected "Arm" because it is not in common use by American citizens. See Pet. App. 50a-51a.

2. The court of appeals correctly concluded that the District's statutes are unconstitutional.

Having concluded that the District's restrictions implicated "Arms" protected under the Second Amendment, the court moved to the second part of its test and considered whether the District's statutes are "reasonable regulations." *Id.* at 51-52a. The court observed that, "[t]he protections of the Second Amendment are subject to the same sort of reasonable restrictions that have been recognized as limiting, for instance, the First Amendment." *Id.* at 51a. The court specifically analogized to "reasonable restrictions on the time, place, or manner of protected speech." *Id.* (quoting *Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989)), as the type of regulations that, in the Second Amendment context, could permissibly restrict the right to keep and bear arms. *Id.* Under the Court's First Amendment precedent, of course, this type of restriction must be "narrowly tailored to serve a significant governmental interest," and must "leave open ample alternative channels for communication of the information." *Ward*, 491 U.S., at 791 (internal quotation marks omitted).

Applying these principles, the court of appeals correctly recognized that the District's statutes, which effectively forbid citizens from possessing handguns or operable long guns in their homes, are not really "regulations" of the right to keep and bear arms. See Pet.

App. 53a. Rather, these statutes form a categorical "prohibition, of . . . 'arms' which the people are entitled to bear." *Id.* (quoting *State v. Kerner*, 107 S.E. 222, 225 (N.C. 1921)). Accordingly, the court appropriately concluded that because these statutes essentially deprive all the District's citizens of their Second Amendment right to keep and bear arms, the statutes are not "reasonable regulations," but rather facially unreasonable prohibitions. *See id.* But even if characterized as "regulations"—rather than outright prohibitions—the D.C. Code provisions are nonetheless unreasonable under *Ward*. The District justifies these statutes on the ground that they can be expected to "reduce crime, suicide, domestic violence, and accidental shootings." Petitioners' Br. 11. But although these asserted governmental interests are surely significant, its categorical ban on handguns—the most ubiquitous class of "arm" kept by citizens⁹—and on the possession of all operable long guns in the homes of anyone in the District, can hardly be described as a "narrowly tailored" statutory structure to serve those interests. Rather, these sweeping prohibitions leave no "ample alternatives" for the District's citizens to exercise their rights under the Second Amendment. *Cf. Ward*, 491 U.S., at 791.¹⁰

9. As the court of appeals observed, pistols are "the most preferred firearm in the nation to 'keep' and use for protection of one's home and family." Pet. App. 53-54a (citing Gary Kleck & Marc Gertz, *Armed Resistance to Crime: The Prevalence and Nature of Self-Defense with a Gun*, 86 J. CRIM. L. & CRIMINOLOGY 150, 182-83 (1995)).

10. Even if the trigger-lock provision of §7-2507.02 were not considered, *amici* States submit that the District's categorical ban on *all* handguns in essentially all circumstances is facially unreasonable.

B. The Court of Appeals's Decision Should Be Affirmed Because the District's Firearms Prohibitions Also Cannot Withstand Scrutiny Under the Standard of Review Recommended by the United States.

The United States has advocated a standard of review that it believes is different from that applied by the court of appeals. U.S. Br. 23-24 & n.6. The United States therefore recommends that the Court should vacate and remand the case for further review under the United States's recommended "intermediate" level of review. *Id.* at 28, 32.

The United States's position cannot bear scrutiny. Regardless of what test is applied—the court of appeals's, the United States's, or some other—the District's categorical ban on all operable firearms cannot survive. Thus, a remand would serve no purpose.¹¹

11. In *Casey*, 505 U.S., at 878-79, the Court adopted a new test for determining the constitutionality of restrictions on abortion—the undue burden standard—but rather than remanding, the Court applied the new standard to the provisions at issue. Similarly, in *McCleskey v. Zant*, 499 U.S. 467, 502-03 (1991), the Court adopted the cause and prejudice standard for abuse of writ and affirmed the court of appeals's judgment under its newly-adopted standard.

As Justice Stevens has explained, "[a]ppellate courts in general and this Court in particular have, after correcting an erroneous interpretation of law, appl[ie]d the proper legal standard to undisputed facts of record—whether or not such facts have been memorialized in formal findings by 'the original finder of fact.'" *Iceberg Seafoods, Inc. v. Worthington*, 475 U.S. 709, 716 (1988) (Stevens, J. dissenting). Among other things, "[t]his practice . . . allow[s] appellate courts to give guidance to trial courts by illustrating the proper

The United States begins with the proposition that the Second Amendment “allows for reasonable regulation of firearms, must be interpreted in light of context and history, and is subject to important exceptions, such as the rule that convicted felons may be denied firearms.” U.S. Br. 8. The court of appeals’s decision is consistent with these principles. *See supra* Part II.A.

The United States goes on, however, to set forth a different, “heightened” standard of review for regulations that “directly limit[] the private possession of ‘Arms’ in a way that has no grounding in Framing-era practice.” U.S. Br. 8. The United States acknowledges that the District’s statutes directly limit “Arms” protected by the Second Amendment and have no grounding in “Framing-era practice.” *Id.* According to the United States, this type of regulation is therefore subject to an “intermediate level of review,” under which “the ‘rigorousness’ of the inquiry depends on the degree of the burden on protected conduct.” *Id.* Thus, under the United States’s test, the greater the scope of the prohibition and its impact on private firearm possession, the more difficult it will be to defend under the Second Amendment. U.S. Br. 27.

The United States’s standard is derived from First Amendment election-law decisions that likewise instruct that the greater the restriction, the more exacting the scrutiny must be. *See* U.S. Br. 24 & n.6 (citing *McIntyre v. Ohio Elections Comm’n*, 514 U.S. 334 (1995); *Timmons v. Twin Cities Area New Party*, 520 U.S. 351 (1997); and *Burdick v. Takushi*, 504 U.S. 428 (1992)). The United States gives no reason why these election cases should

application of a new legal standard in a particular case.” *Id.*

provide the appropriate Second Amendment standard of review, but, if they were extended to do so, the District's ordinances would not survive.

Indeed, under these cases, the District's sweeping prohibitions would likely be reviewed under strict scrutiny—a far more demanding standard than the “reasonableness” standard applied by the court of appeals. “Regulations imposing severe burdens on plaintiffs’ rights must be narrowly tailored and advance a compelling state interest.” *Timmons*, 520 U.S., at 358; *Burdick*, 504 U.S., at 433; *McIntyre*, 514 U.S., at 347.¹²

And, by any measure, the District's categorical ban on possessing any operable firearms in his home must be viewed as a “severe burden” on Mr. Heller's Second Amendment rights. Thus, strict scrutiny would apply, which the District ordinances would necessarily fail.

Even if the Court did not apply strict scrutiny, the District's statutes would also fail the (presumably alternative) less restrictive test set forth in the United States's brief. U.S. Br. 8. This test would evaluate the validity of the District's firearms prohibitions under the following standard: “(a) the practical impact of the challenged restriction on the plaintiff's ability to possess firearms for lawful purposes (which depends in turn on the nature and functional adequacy of available alternatives), and (b) the strength of the government's interest in

12. In *McIntyre*—the case that the United States says best demonstrates the distinction between its proposed standard and that of the court of appeals, U.S. Br. 24 n.6—the Court applied strict scrutiny and struck down an Ohio electioneering law that prohibited the distribution of anonymous political documents. 514 U.S., at 344.

enforcement of the relevant restriction." *Id.* Even assuming the important governmental interests articulated by the District, its firearms prohibitions cannot meet part (a) of the United States's test—which strongly resembles the "ample alternative channels for communication" standard set forth in *Ward*, 491 U.S., at 791—because the District's prohibitions effectively leave its citizens with no alternatives regarding the possession of functional firearms in their homes for self-defense. Thus, even applying the test(s) suggested by the United States, the District's statutory scheme remains facially unconstitutional.

C. The Unreasonableness of the District's Statutory Scheme Is Further Evidenced by the Fact That It Runs Counter to the Regulatory Approach of All Fifty States.

To the extent the Court looks beyond the standard adopted by the court of appeals or those suggested by the United States, the unreasonable nature of the D.C. Code provisions is also evident when compared to the statutory approach of the fifty States.

The Legislatures of all fifty States are united in their rejection of bans on private handgun ownership. Every State in the Union permits private citizens to own handguns.¹³ Forty-five States go further, allowing private citizens to carry concealed handguns for self-defense.¹⁴ Thus, the District's sweeping firearm prohibitions are not only contrary to the Constitution, but also contrary to the

13. See APPENDIX.

14. See APPENDIX.

reasoned judgment of every state legislature in the Nation.

Indeed, for that reason, this diverse coalition of 31 *amici* States is of one accord that—under any standard—the District of Columbia’s categorical ban cannot be sustained.

III. NONE OF THE FEDERAL FIREARMS REGULATIONS DISCUSSED IN THE UNITED STATES’S BRIEF IS JEOPARDIZED BY THE COURT OF APPEALS’S DECISION.

The United States asserts that application of the court of appeals’s standard would jeopardize the validity of a variety of federal firearms regulations. *See* U.S. Br. 21-22, 25-27. This concern is misplaced.

The federal firearms regulations that the United States suggests may be vulnerable fall into four categories: (1) restrictions on the *type* of firearms that may be possessed, (2) restriction on *who* may possess firearms, (3) restrictions on *where* firearms may be possessed, and (4) economic restrictions on the import, export, and exchange of firearms. *See* U.S. Br. 21-22, 25-27.

In regard to the first category, the United States notes that federal law generally prohibits the possession of both machine guns and firearms that are undetectable by metal detectors and x-ray machines. U.S. Br. 2 (citing 18 U.S.C. §922(o) (machine guns), (p) (undetectable firearms)). But neither of these regulations is impliedly invalidated by the court of appeals’s decision.

A court would likely conclude that machine guns and undetectable firearms do not constitute “Arms” under the Second Amendment. Even if these weapons could be

described as bearing a reasonable relationship to the preservation or efficiency of a well regulated militia, they could not be accurately categorized as the kinds of weapons that are currently in "common use" by American citizens. See Pet. App. 49a. And even if these weapons were considered "Arms," the federal laws would likely survive under the reasonableness standard because the regulations target a particularly dangerous feature of specific firearms and do not inhibit the core functionality of the general class of firearms.

Second, the United States focuses on federal regulations addressing particular individuals who may not possess firearms. U.S. Br. 25-26. Specifically, federal law prohibits possession of firearms by, *inter alia*, convicted felons, fugitives from justice, illegal drug users, mentally ill persons, illegal aliens, and those who have been convicted of domestic violence. 18 U.S.C. §922(g). The United States's concerns are unfounded because, as the court of appeals recognized—consistent with centuries of common law—prohibiting firearm possession by people with particularly dangerous characteristics is presumptively reasonable and constitutionally valid. Pet. App. 52a; see also *Emerson*, 270 F.3d, at 264 (concluding that 18 U.S.C. §922(g)(8) is a reasonable regulation).

Third, the United States's fear of constitutional vulnerability concerning the federal restrictions on *where* a firearm may be possessed is equally unfounded. The federal laws cited by the United States that prohibit the private possession of firearms in certain places would not offend the Constitution under the standard articulated by the court of appeals. To the contrary, the court of appeals explicitly affirmed reasonable time, place, or manner

regulations of the right to keep and bear arms. Pet. App. 51-52a.

Finally, federal laws regulating the import, export, and transfer of firearms arise from Congress's power to "regulate Commerce with foreign Nations, and among the several States," and have only an incidental effect on the Second Amendment right to keep and bear arms. As such, they would not be subject to heightened scrutiny.

Accordingly, there is no basis for the United States's concern that these laws may face invalidation under the court of appeals's decision. Indeed, it bears emphasis that *amici* States likewise have a strong interest in maintaining the many state laws prohibiting felons in possession, restricting machine guns and sawed-off shotguns, and the like. See Appendix.

But all 31 *amici* States agree that striking down the District of Columbia's categorical ban on *all* operative firearms would pose no threat to these reasonable regulations. Instead, this case is a threshold case: at issue is whether the Second Amendment has any modern meaning whatsoever. Remaining faithful to the Constitution, there should be only one answer.

CONCLUSION

The Court should affirm the judgment of the court of appeals.

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

R. TED CRUZ
Solicitor General
Counsel of Record

KENT C. SULLIVAN
First Assistant Attorney
General

SEAN D. JORDAN
Deputy Solicitor General

DAVID S. MORALES
Deputy Attorney General
Civil Litigation

MICHAEL P. MURPHY
Assistant Solicitor
General

OFFICE OF THE
ATTORNEY GENERAL
P.O. Box 12548
Austin, Texas 78711-2548
(512) 936-1700

COUNSEL FOR *AMICI CURIAE*

February 2008

APPENDIX

**CONSTITUTIONAL PROVISIONS AND
FIREARMS REGULATIONS BY STATES AND THE
DISTRICT OF COLUMBIA**

STATE	REGISTRATION / CONCEALED CARRY REGULATIONS	CONST. RIGHT TO ARMS
Alabama	ALA. CODE §§ 13A- 11-50 to -85	ALA. CONST. art. I, § 26
Alaska	ALASKA STAT. §§ 18.65.700-790	ALASKA CONST. art. I, § 19
Arizona	ARIZ. REV. STAT. §§ 13-3101 to - 3117	ARIZ. CONST. art. II, § 26
Arkansas	ARK. CODE ANN. §§ 5-73-301 to - 320	ARK. CONST. art. II, § 5
California	CAL. PENAL CODE §§ 12050-12054	
Colorado	COLO. REV. STAT. §§ 18-12-201 to - 216	COLO. CONST. art. II, § 13
Connecticut	CONN. GEN. STAT. §§ 29-27 to -36L	CONN. CONST. art. I, § 15
Delaware	DEL. CODE ANN. tit. 11 §§ 1441-1459	DEL. CONST. art. I, § 20

STATE	REGISTRATION / CONSOLIDATED CARRY REGULATIONS	CONST. RIGHT TO ARMS
District of Columbia	D.C. CODE ANN. §§ 22-4503 to -4514	
Florida	FLA. STAT. ANN. §§ 790.06-.331	FLA. CONST. art. I, § 8
Georgia	GA. CODE ANN. §§ 16-11-126 to -134	GA. CONST. art. I, § I, ¶ VIII
Hawaii	HAW. REV. STAT. §§ 134-3 to -17	HAW. CONST. art. I, § 1
Idaho	IDAHO CODE § 18- 3302	IDAHO. CONST. art. I, § 11
Illinois	430 ILL. COMP. STAT. 65/1 to /16	ILL. CONST. art. I, § 22
Indiana	IND. CODE §§ 35- 47-2-1 to -24	IND. CONST. art. I, § 32
Iowa	IA CODE §§ 724.1-.30	
Kansas	KAN. STAT. ANN. §§ 75-7c01 to -7c26	KAN. CONST., Bill of Rights, § 4

STATE	HIGHEST CITATION CONSOLIDATED OR REGULATIONS	CONST. RIGHT TO ARMS
Kentucky	KY. REV. STAT. ANN. §§ 237.110-.142	KY. CONST. § 1(7)
Louisiana	LA. REV. STAT. ANN. § 40:1379.3	LA. CONST. art. I, § 11
Maine	ME. REV. STAT. ANN. tit. 25, §§ 2001-A to 2006	ME. CONST. art. I, § 16
Maryland	MD. PUBLIC SAFETY CODE ANN. § 5-301 to -314	
Mass.	MASS. GEN. LAWS ch. 140 §§ 129B, 131	MASS. CONST. pt. I, art. XVII
Michigan	MICH. STAT. ANN. §§ 28.421-.435	MICH. CONST. art. I, § 6
Minnesota	MINN. STAT. ANN. § 624.714	
Mississippi	MISS. CODE ANN. § 45-9-101	MISS. CONST. art. III, § 12
Missouri	MO. REV. STAT. §§ 571.070, 571.121	MO. CONST. art. I, § 23

State	Statutes	Constitution
Montana	MONT. CODE ANN. § 45-8-321 to -330	MONT. CONST. art. II, § 12
Nebraska	NEB. REV. STAT. §§ 69-2428 to -2447	NEB.. CONST. art. I, § 1
Nevada	NEV. REV. STAT. 202.3653-.369	NEV.. CONST. art. I, § 11, cl. 1
New Hampshire	N.H. REV. STAT. ANN. § 159:6	N.H.. CONST. pt. I, art. 2-a
New Jersey	N.J. REV. STAT. § 2C:58-4	
New Mexico	N.M. STAT. ANN. §§ 29-19-1 to -14	N.M. CONST. art. 2, § 6
New York	N.Y. PENAL LAW §§ 400.00-.10	
North Carolina	N.C. GEN. STAT. §§ 14-415.10 to .26	N.C. CONST. art. I, § 30
North Dakota	N.D. CENT. CODE §§ 62.1-04-01 to - 05	N.D.. CONST. art. I, § 1
Ohio	OHIO REV. CODE ANN. §§ 2923.125 to .1213	OHIO CONST. art. I, § 4

State	Statutes	Constitution
Oklahoma	OKLA. STAT. ANN. tit. 21, §§ 1290.1- .26	OKLA. CONST. art. II, § 26
Oregon	OR. REV. STAT. §§ 166.291 to .297	OR. CONST. art. I, § 27
Penn.	PA. STAT. ANN. tit. 18, §§ 6106, 6109	PA. CONST. art. I, § 21
Rhode Island	R.I. GEN. LAWS § 11-47-8 to -15	R.I. CONST. art. I, § 22
South Carolina	S.C. CODE ANN. §§ 23-31-205 to -240	S.C. CONST. art. I, § 20
South Dakota	S.D. CODIFIED LAWS §§ 23-7-7 to - 8.10	S.D. CONST. art. VI, § 24
Tennessee	TENN. CODE ANN. §§ 39-17-1351 to - 1360	TENN. CONST. art. I, § 26
Texas	TEX. GOV'T CODE ANN. §§ 411.171-208	TEX. CONST. art. I, § 23
Utah	UTAH CODE ANN. §§ 53-5-701 to - 711	UTAH. CONST. art. I, § 6

STATE	STATUTE	CONSTITUTION
Vermont	Vt. STAT. ANN. tit. 13, § 4003	Vt. CONST. ch. I, art 16
Virginia	VA. CODE ANN. § 18.2-308	VA. CONST. art. I, § 13
Washington	WASH. REV. CODE § 9.41.070	WASH. CONST. art. I, § 24
West Virginia	W. VA. CODE § 61-7-4 to -6a	W. VA. CONST. art. III, § 22
Wisconsin	Wis. STAT. §§ 941.23, 941.29	Wis. CONST. art. I, § 25
Wyoming	WYO. STAT. ANN. §§ 6-8-104	WYO. CONST. art. I, § 24

**ADDITIONAL STATE STATUTES CONCERNING
FIREARMS**

	POSSESSING A FIREARM IN VIOLATION	
Alabama	ALA. CODE § 13 A-11-72	ALA. CODE § 13A-11-63(a) (sawed-off shotguns and rifles)
Alaska	ALASKA STAT. § 11.61.200	
Arizona	ARIZ. REV. STAT. § 13-904	ARIZ. REV. STAT. § 13-3101(A)(7) (machine guns and short-barreled shotguns and rifles)
Arkansas	ARK. CODE ANN. § 5-73-103	
California	CAL. PENAL CODE § 12021	CAL. PENAL CODE §§ 12001.5 (short- barreled rifles and shotguns); 12220 (machine guns)

State	Possession of Firearms	Machine Guns and Shotguns
Colorado	COLO. REV. STAT. § 18-12-108	COLO. REV. STAT. § 18-12-102 (machine guns and short shotguns and rifles)
Connecticut	CONN. GEN. STAT. § 53a-217	CONN. GEN. STAT. §§ 53-202(b), (c) (assault weapons); 53a-211 (sawed-off shotguns and rifles)
Delaware	DEL. CODE ANN. tit. 11, § 1448	DEL. CODE ANN. tit. 11, § 1444 (sawed-off shotguns and machine guns)
District of Columbia	D.C. CODE § 22-4503	D.C. CODE § 7-2502.02 (machine guns and sawed-off shotguns and rifles)

9a.

	POSSESSION OF FIREARMS BY FELONS	POSSESSION OF FIREARMS BY NON-FELONS
Florida	FLA. STAT. § 790.23	FLA. STAT. § 790.221 (machine guns and short- barreled shotguns and rifles)
Georgia	GA. CODE ANN. § 16-11-131	GA. CODE ANN. § 16-11-122 (machine guns and short-barreled shotguns and rifles)
Hawaii	HAW. REV. STAT. § 134-7	HAW. REV. STAT. § 134-8 ("assault pistols," machine guns, and short- barreled rifles and shotguns)
Idaho	IDAHO CODE ANN. § 18-310	
Illinois	720 ILL. COMP. STAT. 5/24-1.1	720 ILL. COMP. STAT. 5/24-1 (machine guns and short-barreled shotguns and rifles)

State	Prohibition of Possession of Machine Guns	Prohibition of Possession of Sawed-Off Shotguns
Indiana	IND. CODE ANN. §§ 35-47-4-5, -6	IND. CODE ANN. §§ 35-47-5-4.1 (sawed-off shotguns); -8 (machine guns)
Iowa	IOWA CODE § 724.26	IOWA CODE §§ 724.1, .2 (machine guns and short- barreled shotguns and rifles)
Kansas	KAN. STAT. ANN. § 21-4204	KAN. STAT. ANN. § 21-4201 (machine guns and short- barreled shotguns)
Kentucky	KY. REV. STAT. § 527.040	
Louisiana	LA. REV. STAT. § 14:95.1	LA. REV. STAT. § 40:1752 (machine guns)
Maine	ME. REV. STAT. ANN. tit. 15, § 393	ME. REV. STAT. ANN. tit. 17-A, § 1051 (machine guns)

STATE	POSSESSION OF FIRE ARMS BY AFFILIATES	MACHINE GUNS / SAVED-OFF SHOTGUNS
Maryland	MD. CODE ANN. CRIM. LAW § 5-622	MD. CODE ANN. CRIM. LAW §§ 4-303 ("assault pistols,"); 4-405 (on machine guns); MD. CODE ANN. PUB. SAFETY § 5-203 (short- barreled shotguns and rifles)
Massachusetts	MASS. GEN. LAWS ch. 140, §§ 129B, 129C	MASS. GEN. LAWS ch. 140, § 131M (assault weapons)
Michigan	MICH. COMP. LAWS § 750.224f	MICH. COMP. LAWS §§ 750.224 (machine guns); 750.224b (short- barreled shotguns and rifles)
Minnesota	MINN. STAT. § 609.165	MINN. STAT. § 609.67 (machine guns and short- barreled shotguns)
Mississippi	MISS. CODE ANN. § 97-37-5	

12a

STATE	POSSESSION OF FIREARMS BY FELONS	MACHINE GUNS SAWED-OFF SHOTGUNS
Missouri	MO. REV. STAT. § 571.070	MO. REV. STAT. § 571.020 (machine guns and short- barreled shotguns and rifles)
Montana	MONT. CODE ANN. § 45-8-313	MONT. CODE ANN. § 45-8-340 (sawed- off shotguns)
Nebraska	NEB. REV. STAT. § 28-1206	NEB. REV. STAT. § 28-1203 (machine guns and short- barreled shotguns and rifles)
Nevada	NEV. REV. STAT. ANN. § 202.360	NEV. REV. STAT. ANN. §§ 202.350 (machine guns); 202.275 (short- barreled rifles and shotguns)
New Hampshire	N.H. REV. STAT. ANN. § 159:3	

STATE	PERMISSION FOR POSSESSION BY INDIVIDUAL	DEFINITION OF SAWED-OFF SHOTGUNS
New Jersey	N.J. STAT. ANN. § 2C:39-7	N.J. STAT. ANN. §§ 2C:39-1 (weapons over 60 caliber except shotguns); 2C:39-3 (sawed-off shotguns)
New Mexico	N.M. STAT. ANN. § 30-7-16	
New York	N.Y. PENAL LAW § 265.01	N.Y. PENAL LAW § 265.02 (machine guns, "assault weapons")
North Carolina	N.C. GEN. STAT. § 14-415.1	N.C. GEN. STAT. § 14-409 (machine guns)
North Dakota	N.D. CENT. CODE § 62.1-02-01	N.D. CENT. CODE § 62.1-05-01 (machine guns)
Ohio	OHIO REV. CODE ANN. § 2923.13	OHIO REV. CODE ANN. §§ 2923.11, .17 (machine guns and sawed-off firearms)

STATE	POSSESSION OR TRANSFER BY INDIVIDUAL	POSSESSION OR TRANSFER BY ENTITY
Oklahoma	OKLA. STAT. tit. 21, § 1283	
Oregon	OR. REV. STAT. § 166.270	OR. REV. STAT. § 166.272 (machine guns and short- barreled shotguns and rifles)
Pennsylvania	18 PA. CONS. STAT. § 6105	18 PA. CONS. STAT. § 908 (machine guns and short- barreled shotguns and rifles)
Rhode Island	R.I. GEN. LAWS § 11-47-5	R.I. GEN. LAWS § 11-47-8 (machine guns and short- barreled shotguns and rifles)
South Carolina	S.C. CODE ANN. § 16-23-30	S.C. CODE ANN. § 23-31-330 (machine guns and short-barreled shotguns and rifles)

STATE	OF	SECTION
South Dakota	S.D. CODIFIED LAWS § 22-14-15	S.D. CODIFIED LAWS § 22-14-6 (machine guns and short-barreled shotguns)
Tennessee	TENN. CODE ANN. § 39-17-1307	TENN. CODE ANN. § 39-17-1302 (machine guns and short-barreled shotguns and rifles)
Texas	TEX. PENAL CODE ANN. § 46.04	TEX. PENAL CODE ANN. §§46.01, .05 (machine guns and short-barreled shotguns and rifles)
Utah	UTAH CODE ANN. § 76-10-503	
Vermont		
Virginia	VA. CODE ANN. § 18.2-308.2	VA. CODE ANN. § 18.2-300 (sawed-off shotguns and rifles)

STATE	POSSESSION OF PERMANENT LICENSES	PERMANENT LICENSES
Washington	WASH. REV. CODE ANN. § 9.41.040	WASH. REV. CODE ANN. § 9.41.190 (machine guns and short-barreled shotguns and rifles)
West Virginia	W. VA. CODE § 61-7-7	W. VA. CODE § 61-7-9 (machine guns)
Wisconsin	WIS. STAT. § 941.29	WIS. STAT. §§ 941.26 (machine guns); 941.28 (short-barreled shot guns and rifles)
Wyoming	WYO. STAT. ANN. § 6-8-102	